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ABSTRACT

This document contains the 12 issues of "Rural Policy Matters" published in 2002. Issues examine recent educational research on small and rural schools; report on court litigation related to rural school finance and educational adequacy, resources for community action in support of rural schools, and outcomes of school consolidation; outline policy issues related to rural educational reform and funding; and describe publications and Web sites of interest. Articles include: Talking to the Press; Bus Accident on Route That Causes No Harm; West Virginia School Consolidation Nixed by Citizens, Teachers; Vermont "Act 60" Continues To Improve Equity for State's Students; Groups Ask Arkansas Supreme Court for Decision Supporting Rural Schools; Nebraskans Celebrate Rural Education Day; In Arkansas: Consolidation a Cure Worse Than Disease; Victory in North Carolina School Finance Case; E-Rate Update; ARural Nebraskans Support Their Schools; AWest Virginia Court Says School Board Blocked Citizen Participation; AStrength in Numbers: A Rural Community Fights School Closure; ASmall Schools Work and They're Cost Effective, New Report Finds; No Child Left Behind Act Increases Federal Role in Education, Puts Pressure on Rural Schools; Tennessee Supreme Court Strikes Down Rural School Funding Plan; and Rural Students and Schools Score Major Victory in Arkansas Supreme Court. (SV)

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A Newsletter of the Rural School & Community Action

The Rural School and Community Trust

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action

January 2002

Talking to the Press

Schools and taxes. Ask any Pennsylvanian, and they're guaranteed to have very strong opinions about these issues. In fact, on any given day, it's common to find a story, letter to the editor, or commentary about school funding in some of the more than 300 newspapers across the Commonwealth.

Also remember that there are 3.7 million rural Pennsylvanians who rely a lot on local radio for their news.

That doesn't include television, cable, ethnic press, and Internet outlets. Just think. There's a gold mine of media organizations out there, and they're interested in hearing what citizens have to say about local education topics and in sharing that information with their audiences.

Pennsylvania School Reform Network and the Education Law Center (PSRN) have seized upon that opportunity by engaging parents, other advocates, educators, and policy makers in a public discourse about school funding and many other issues including English Language Learners, charter schools, special education, and school discipline.

Timothy Potts, PSRN director, explains the organization's outreach to the media.

"Instead of working to produce glossy publications with readership in the hundreds or thousands, our goal is to produce newspaper editorials and stories with readership in the millions," he said. "Our strategy targets two groups: opinion leaders and advocates who read the editorial pages, and ordinary citizens who read the news pages. The first audience we reach by regular visits with editorial boards. The second audience we try to reach through regular contact with education reporters through Education Beat" (an occasional e-mail alert from PRSN that gives reporters story ideas on current education issues. For copies visit the following web site: http://www.psrn.org/edbeat.html.

A PSRN partnership with western Pennsylvania's Greene County government and its five school districts this past fall proved to be successful at reaching that audience. The purpose was to disseminate information to local residents, policy makers, and advocates about the impact of the inequitable school funding system on this community.

First, the Greene County Joint School Board Committee asked residents to write letters about their opinions on school funding. The information was then placed in binders, which were distributed to all 15 legislators who serve on the House Select Committee on Public Education Funding. This body of the Pennsylvania General Assembly was formed this summer to create legislation that would change the state's antiquated funding formula, which relies heavily on property taxes.

Second, a county government intern worked with PSRN and local school districts by drafting several letters to the editor reacting to the principles outlined in a resolution passed by the Select Committee. The letters, which were sent to several local newspapers, elaborated on the nine principles of what a good funding system would look like.

"This actually explained positive legislative action viewed as complex by even the most seasoned readers and put it into layman's terms," said Sandy Zelno PSRN's Associate Director in western Pennsylvania.

Next came the outreach to editorial writers. From October to November, Potts visited more than a dozen editorial boards around the state to share his views

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Getting Your Messages Out to the Press

If you're a nonprofit organization or just a parent who has a passion for education issues and you're interested in getting your messages out to the press, here are some resources to start with:

Visit Pennsylvania School Reform Network's web site *www.psrn.org* for samples of op-eds written by director Timothy Potts and for copies of Education Beat, an occasional e-mail alert from PSRN that is distributed to education reporters and editors.

When you get to the home page, click on "Education Beat," and "news and updates."

Before calling reporters and editors, here are some things to consider:

- The goal is not an individual editorial or a news story but a relationship that you can sustain over a long period of time.
- Be credible. Know what you're talking about both on the merits and in the political context of your state or locality.
- Talk about issues that matter, either to the editors or to the reporters. You can't wear out your welcome on issues you know the press doesn't care about and can't be persuaded to talk about.
- Present those issues in a compelling way. Search constantly for the right words, the right analogies, and the right data that will turn on the light bulb in their heads.
- Anticipate what your opponent will say and be prepared to counter their arguments.
- It also helps if you can demonstrate support from other credible organizations, though this is not absolutely necessary.

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Let us know what you think of *RPM*'s new format at policy.program@ruraledu.org!

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Talking to the Press

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on the need for a new funding formula and a proposal that would change the system's unfair approach to paying for schools. The timing was perfect. Rep. Nicholas Micozzie, a Republican from Delaware County, had presented his proposal for a new funding formula at a press conference on November 13. Micozzie's plan called for increasing the state's share of education funding while decreasing local property taxes. His plan would accomplish that by increasing the personal income tax by 1.8 percentage points over two years. As a result of the press conference and editorial board meetings, *The Patriot-News*, which is based in the state's capital, ran a series of editorials about school funding that reached more than 150,000 readers.

PSRN and ELC's ongoing outreach to the media again paid off when Len Rieser, co-director of the Education Law Center (ELC) wanted to inform people about new state guidelines for English Language Learners and ELC's efforts to improve services for the more than 30,000 students affected by these guidelines in Pennsylvania. With the help of Gina Ackerman, a mother of three children from Russia who are English Language Learners, Rieser informed readers about these developments in local newspapers and the ethnic press including the *Wilkes-Barre Times Leader* and *Al Dia*, a Spanish-language newspaper based in Philadelphia.

As Matthew Vossler and Carrie Buchanan-Vossler, two advocates from western Pennsylvania pointed out in their letter to the editor, which by the way reached almost a quarter of a million readers when it was published in the October 9th issue of the *Pittsburgh Post-Gazette*: "Communities have begun to fight back and organize to make the education of their young children a priority."

Media organizations in Pennsylvania are listening to that message. Let's keep that momentum going.

–Rosalinda DeJesus, Communications Director, Pennsylvania School Reform Network and Education Law Center, a project of the Education Law Center, which aims to provide fairer and better quality schools for all students in Pennsylvania. For more information please visit the following web sites: www.elc-pa.org, www.psrn.org or call 717.238.7171.❖

New report examines perceptions of rural America

The W.K. Kellogg Foundation has recently released a report on perceptions of rural America. The study, conducted by Greenberg Quinlan Rosner Research Inc., is based on interviews with 242 people in eight regions of the country and includes the perceptions of urban, suburban and rural people.

According to the authors, "...perceptions of rural America are centered on a series of dichotomies - rural life represents traditional American values, but is behind the times; rural life is more relaxed and slower than city life, but harder and more grueling; rural life is friendly, but intolerant of outsiders and difference; and rural life is richer in *community* life, but epitomized by *individuals* struggling independently to make ends meet. Rural America offers a particular quality of life including serenity and aesthetic surroundings, and yet it is plagued by lack of opportunities, including access to cultural activities."

In general, respondents felt that rural Americans have stronger families, are more closely tied to their local communities, and have more traditional values than their urban and suburban peers. Close to half of all respondents list poverty, price of crops, and lack of opportunities as the most significant problems facing rural America.

The report briefly addresses the issue of education and finds that both rural and non-rural respondents list lack of access to quality education as a concern. The authors attribute this concern to the fact that rural areas tend to be isolated and cannot generate enough revenue to support larger schools. No mention is made of the benefits of small, community schools. Rural respondents are also worried about the fact that young people leave the community to pursue higher education.

For more information on "Perceptions of Rural America", visit www.wkkf.org or call the Kellogg Foundation at 616.968.1611.❖

Getting Your Messages Out

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Here are some rules to keep in mind when talking to reporters and editors:

- Be accessible. Make sure you return a reporter's call in a timely fashion and be sensitive to their deadline. If you can't meet the deadline let them know upfront.
- Get your message across. Repeat key themes throughout the conversation.
- Take time to answer the questions. If you can't respond to the question right away, it's okay to let the reporter know you need to think about this and get back to them, as long as it's before his or her deadline.
- Don't be afraid to say you don't know the answer. Reporters can find the answer elsewhere and they appreciate your unwillingness to speculate.
- Stay away from giving a reporter comments that are *off the record*. You're better off saying what the reporter can attribute to you so there's no confusion or misunderstanding.

The following are links that will help prepare you to conduct those interviews and write those op-eds and letters to the editor:

Fairness & Accuracy In Reporting has a complete media activism kit. For a copy of the kit please visit the following web site. It includes tips on how to communicate with journalists, how to write an op-ed, and how to get your news stories on television, www.fair.org/activism/communicate.html

How To Write and Place an Effective Op-ed, www.communitycapital.org/resources/strategy/quick_tips_op_ed.pdf

The following media tip sheets for advocates from Families USA can be found at the following links:

"Tips for Interviews, Part II, Radio," www.familiesusa.org/media/pdf/impress/imprss12.pdf

"Drafting a News Release," www.familiesusa.org/media/pdf/impress/octimp.pdf

"How to Shift Focus On a Story," www.familiesusa.org/media/pdf/impress/imprs400.pdf

For more information about how to relay your messages about education issues in the media, please call Rosalinda DeJesus, PSRN/ELC communications director at 717.238.7171 or e-mail her at rdejesus@elc-pa.org❖

The Consolidation Blues

A Cautionary Tale

This is the story of how two Southeastern Nebraska school districts, Diller and Odell, learned that school consolidation isn't always the answer. Milford Smith, former superintendent of Odell Public Schools , says that this scenario is being repeated all over Nebraska. He tells this story to indicate that bigger is not always more efficient.

In 1998-99, Diller Community Schools had approximately 160 students in grades K-12. They had recently passed a bond issue for remodeling and renovation and had closed a small elementary school due to general disrepair. Fiscal problems forced the school to combine some elementary grades and eliminate the guidance counselor's position.

Meanwhile, neighboring Odell Public School had an enrollment of approximately 190 K-12 students. They had also passed a bond issue to do remodeling and replace a K-6 building. Declining enrollment forced Odell to enter into an agreement with Diller whereby the eight-member football team played at Diller and the volleyball and basketball teams played at Odell.

When Nebraska state aid was reconfigured in 1997-98, Diller lost approximately $75,000 in one year. To make up for the shortage, Diller would have had to combine elementary grades even further, cut back on supplies and texts, use all of the cash reserves, and still have to override the limits on property taxes. Instead, Diller and Odell decided to consolidate. They framed the merger as a means of enhancing educational opportunities, solving Diller's fiscal problems, and creating a new, larger district that would save money.

The new district bought out eight teachers and one part-time Superintendent and gave one Superintendent early retirement, for a total of $122,000. The size of the new district meant an increase in the base teacher salary of $1500, plus salary increases for teachers with advanced degrees, for a total of $92,000. Salaries for the new principals and an increase in benefits for non-certified personnel came to a total of $90,000. An additional 25,860 miles was added to the transportation cost of busing students. At a state rate of $1.10 per mile, the added expense totaled $28,500. With more students in all grades, the curriculum needed to be aligned so that all of the students were working from the same textbook, a cost of $50,000. New band uniforms and athletic equipment totaled $27,000. The new district was big enough to move from an eight to an eleven-member football team, so the cost of improving the athletic facilities came to $41,000. New locker rooms at the Odell high school and a new football program at Odell Junior High were also added. Diller, however, did not want to lose all of their sports, so they enlarged their football field to an 11-member size, which entailed acquiring more land and moving all of the light poles. Add in attorney fees, and the total spending above base year expenses comes to approximately $460,000. For the 2001-02 school year, the expenditures above base year expenses are estimated to be $230,000. So much for saving money.

On top of that, the Nebraska State Activity Association moved Diller-Odell back into the eight-member football ranks again, so next year, the district must decide whether or not to play on Odell's old field, set a new goal post on Odell's new eleven member field in order to play eight member football, or redo the recently converted field at Diller from eleven back to eight. As it stands now, the team uses the dressing rooms at Odell, rides the bus 12 miles to play at Diller, and then rides back to Odell to dress again.

There's another catch. The new district is losing population. It's estimated that over six years, the enrollment of the new district will decline from 350 to 220 – that's just over the enrollment of Odell when the merger took place. Milford Smith says the situation reminds him of altered lyrics of country singer Tom T. Hall's 1973 song, the "Subdivision Blues":

You moved into the country to
send your son to a rural school.
But the consolidated bus now
comes by and takes your son to
Istanbul
You don't know his teachers or the
names of his friends
You are beginning to wonder if the
"get big" trend ever ends.
The tax rate went up, the State said
the merger would save money
I tell you man, the problems are
no longer funny
It's called the mean old consolidation blues.❖

ESEA: Good news and bad news for rural schools

The Elementary and Secondary Education Act (ESEA), the federal legislation for K-12 schools, was recently reauthorized by both the House and Senate. Included in the education reform bill was $162.5 billion in first-time funding for the Rural Education Achievement Program (REAP).

REAP is designed to address the fact that many rural districts lack the personnel and resources needed to compete for federal competitive grants. Rural districts frequently receive formula allocations that are too small to be used effectively for their intended purposes. REAP gives rural districts more flexibility using limited federal resources by allowing districts to combine federal funds and use them where they are most needed. Funds can be used for such things as hiring teachers, funding professional development, hiring specialists, offering teacher signing bonuses, etc.

To be eligible for the REAP initiative, a district's average daily attendance must be less than 600 and all of the schools within the district must have a School Locale Code, assigned at the federal level, of 7 or 8. The stipulation for participating in REAP is that districts must annually assess student achievement for a three-year period. If no achievement is shown, districts are not eligible to participate for another three years.

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THE RURAL SCHOOL AND COMMUNITY TRUST

Rural Policy Matters

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ESEA

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Rural districts will also benefit from other provisions of the ESEA. Title I funding will be based on a formula that more directly targets any school with a high count of free- and reduced-lunch eligible students. The local transferability provision will give all districts, rural or otherwise, the ability to transfer up to half of the federal funds, with the exception of Title I, and use them in other federally suggested areas.

There are, however, a few mandates that will be problematic for rural schools. If schools fail to bring test scores up after two years of school improvement efforts, they are required to offer public school choice to all students. That assumes that there are other schools nearby, which is not always the case in rural areas. If schools fail to show improvement after four years of effort, school districts must offer supplemental tutoring and must pay the transportation costs to get students to the tutoring location. This is an expensive proposition for schools in isolated areas.

Another provision mandates that by the 2005-2006 school year, every teacher must be either certified and have passed a competency test in each subject they teach or have an advanced degree. For rural areas already facing teacher shortages, this will only compound the pressure.

More details about ESEA will come to light over the next few months. Until then, it looks like rural schools will be getting both the clouds and the silver lining.

For more information on the READ initiative and how to apply in your state, contact your state department of education.❖

"You are now entering the classroom of the world's brightest and best students. Please sharpen your intellect, your assertiveness, for we shall surely challenge you to be the best you can be."

– Seen on a poster placed near the entrance of a first-grade classroom in Lake View, Arkansas. Lake View is the district that filed a lawsuit against the state in 1992 claiming that Arkansas's school finance system was unconstitutionally unfair to the children in that rural district.

THE RURAL SCHOOL AND COMMUNITY TRUST

Rural Policy Matters

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The Rural School and Community Trust is a non profit educational organization dedicated to enlarging student learning and improving community life by strengthening relationships between rural schools and communities and engaging students in community-based public work.

The Rural Trust Policy Program seeks to understand complex issues affecting rural schools and communities; to inform the public debate over rural education policy; and to help rural communities act on education policy issues affecting them.

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You may also correct your address on the label above and fax this page to us at 802.728.2011.

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action

February 2002

Bus Accident on Route That "Causes No Harm"

Middle and high school youth in Circleville, West Virginia, get on a bus every school day and head down the North Fork valley, turning on to Route 33 for the trip through Judy Gap and Bland Hills, up North Mountain, passing over the summit in the shadow of Harmon Rocks at over 4000 feet. Then it's down through the Monongahela National Forest and along Friends Run, through the notch between Peters and Castle Mountains, then the notch between Cedar Knob and Bible Knob, finally coming out in the South Fork valley and into Franklin, the county seat, where they go to school. It's about 17 miles over narrow mountain roads, and takes about 40 minutes on mornings when the roads are good. And, they go home each day the same way.

North Fork kids have gone to school there for several years, since the local school board, under intense pressure from the State's School Building Authority, closed their school in Circleville. The Circleville community did not want the school closed and fought back. They argued in a lawsuit challenging the school closing that the bus ride is too long, too risky, and poses too much hardship on kids, parents and community. A lower court agreed, but the West Virginia Supreme Court reversed that ruling, saying that there was not enough evidence that the busing would cause harm to kids, and that consolidation of the schools served a "compelling state interest."

Since this setback, the community has lobbied hard to get permission to send their kids to school in a community that is down the valley and on the same side of the mountain as Circleville, instead of over the mountain to Franklin. But that school is in another county, and invisible lines drawn on the land are sometimes harder to cross than mere mountains. The School Board said "no." So, the kids bus to Franklin.

In January, the bus carrying those kids home after school was run off the road at a double curve near Bible Knob by a tractor-trailer coming too fast down the mountain on the wrong side of the road. The bus ran up an embankment and turned on its side. No one died. But, there was a broken arm requiring pins, a head cut that took 30 staples to close, many minor injuries and plenty of terror. Ten kids went to the hospital. The next day, only three kids got on the replacement bus from Circleville.

When does a community have the right to keep school? And when does a community have a right to use common sense to decide where it will send its kids to school, if it must send them away from home? What price do kids have to pay to satisfy the "compelling interests" of states and the adults who run them?

Last April, Carolyn Arrit, a member of the Challenge West Virginia fellows program wrote an open letter to West Virginia legislators to protest long bus rides for rural students. She asked legislators to consider the effect that these rides have on students' lives and concluded her letter by writing, "An education is to be an all-around experience for children. Are we truly giving each child in West Virginia an equal opportunity to participate in school life and have a good education? Obviously many students, who live several miles away from the consolidated schools, are not being served well by our educational system."

For too long it seems that legislators have ignored the hardships that consolidation and long bus rides impose on rural students. Apparently, students' time is expendable. But legislators and school boards should not have the power to compromise the safety of students. The Circleville bus accident should be a wake-up call not just to West Virginia officials, but to anyone who doubts the serious impact that long bus rides over rough terrain has on students.

To read Carolyn Arrit's "An open letter to WV Legislators", visit http://www.wvcovenanthouse.org/challengewv/news/april01.pdf.❖

Schools Are Engines of Rural Community Welfare

What happens to small rural communities when they lose their school? Cornell University sociologist Thomas A. Lyson wanted to know, so he assembled data from all 352 incorporated villages and towns with populations of under 2,500 in New York State. He divided these communities into two groups – the 71 with 500 or fewer people, and the 281 with more than 500 people. Almost three-fourths of the larger group had a school (73.7%), while only about half (52.1%) of the smaller group did. Historical data indicate that nearly all of the towns and villages had a school at one time.

Those with and without schools in each of the size categories have similar age level profiles, percent of households with children, and percent of children enrolled in school. But the socio-economic differences between them are powerful.

The study also found that among the smallest towns and villages:

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Arkansas' Small Schools Cut Poverty's Power Over Student Achievement

Small schools and small school districts in Arkansas substantially reduce the negative effects of poverty on student achievement, according to results of a forthcoming study by Ohio University researchers. The findings are consistent with ones from similar studies in Alaska, California, Georgia, Ohio, Montana, and West Virginia.

The studies conclude that the higher the level of poverty in a community, the more positive the effect of smaller schools on student achievement. In the Arkansas study, 28 separate analyses were performed using scores over three years from the Stanford Achievement Test (administered in grades 5, 7, and 10) and over two years from Arkansas' own Benchmark Tests in literacy and math (administered in grades 4 and 8). For all tests and grades, data were analyzed for all students and for general education students only (excluding scores of Limited English Proficiency students and students with Individual Education Plans), and at both the district level and for individual schools. In each instance, the correlation between student achievement and poverty was much weaker in the smaller schools or districts than in the larger ones.

The study was authored by Jerry D. Johnson, Craig B. Howley, and Aimee A. Howley, all of Ohio University. It was supported by funding from the Rural School and Community Trust.

The positive effect of small districts appears even stronger than the positive effects of small schools, according to the authors. Smaller schools on average reduce poverty's powerful negative effect over achievement by about one-third to one-half in Arkansas. But, smaller districts on average cut poverty's power even more, by one-half to three-fourths.

The researchers also found the relationship between poverty, size and achievement as stronger in schools and districts with higher percentages of African American students.

This study comes as the Arkansas Supreme Court begins deliberation over a school funding lawsuit brought by the tiny Lake View District serving one of the poorest communities in the state's Delta region. A lower court has ruled that the funding system is unconstitutional because it distributes funds among districts inequitably and provides inadequate funding to meet the state's achievement standards.

"The studies conclude that the higher the level of poverty in a community, the more positive the effect of smaller schools on student achievement."

The finding that small districts as well as small schools mitigate the effects of poverty on achievement is especially significant because many in Arkansas have assumed that district consolidation would be part of the legislative response if the Supreme Court upholds the lower court decision. According to the study authors, creating either larger schools or larger districts to serve low-income or African-American communities in Arkansas would likely harm student achievement and lower both school and district performance.

Based on: Johnson, J.D., Howley, C.B., & Howley, A.A. (forthcoming). *Size, Excellence, and Equity in Arkansas Schools: A* Matthew *Replication.* Athens, OH: Ohio University, College of Education, Educational Studies Department.❖

For more research on the impact of small schools on poverty and student achievement, visit our website at http://www.ruraledu.org/sapss.html. There you will find links to reports on Georgia, Ohio, Texas, and Montana.

Rural Community Welfare

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- Sixty percent of the communities with schools saw population growth from 1990 to 2000; only 46 percent of those without schools grew.
- Average housing values in the communities with schools are 25 percent higher than in those without schools. Their houses are newer, and more likely to be served by municipal water and sewer systems.
- Communities with schools enjoy higher per capita incomes, a more equal distribution of income, less per capita income from public assistance, less poverty and less child poverty.
- Communities with schools have more professional, managerial, and executive workers; more households with self-employment income; 57 percent higher per capita income from self- employment; a higher percentage of residents who work in the village; and fewer workers who commute more than 15 minutes to their jobs.

The differences between larger rural communities with schools and those without were similar, but not as extreme as the differences in the smaller communities. It is clear from Lyson's report that the smaller the community, the more having a school matters.

In short, if your community has a school, it is likely to be more stable and more prosperous, with more people working close to home in jobs in which they are decision makers. It could be that making and keeping small schools close to home should be part of every state's rural development strategy.

Lyson's research was supported by Cornell University and the National Science Foundation. You can contact him at tal2@cornell.edu.❖

RESOURCES

A new look at poverty and achievement

Dispelling the Myth Revisited, a new report issued by Washington, DC-based Education Trust, finds that over 4,500 high-poverty and/or high-minority U.S. schools scored in the top third of all schools in their states, leading authors to conclude that poor and minority children can achieve at high levels when taught well.

The report evaluates over one million school-level test scores, and identifies the schools in each state with math and/or reading scores in the top third of all schools that also ranked in the top third of the state for poverty levels and/or African-American and Latino enrollments. While the report does not address the issue of rurality, 32 percent of the schools identified in the report are rural and 42 percent are rural and small town.

The schools that achieve at high levels despite high poverty rates share six common characteristics:

- Extensive use of state and local standards to design curriculum and assess student work;
- Increased instruction time for reading and mathematics;
- Substantial investment in professional development for teachers;
- Comprehensive systems to monitor individual student performance that enable teachers to provide help before students fall behind;
- Parental involvement;
- State or district accountability systems with consequences for the adults in the school, and;
- Use of assessments to help guide instruction and resources.

Critics of the report point out that the schools were identified based on one year's tests scores, and test scores can vary widely from year to year, especially in smaller schools. Tom Loveless, the director of the Brown Center on Education Policy at the Brookings Institution, is quoted in *Education Week* (1/9/02) as saying "What they need to do is not obfuscate the fact that poverty is a huge obstacle to achievement. It is very difficult to get high-poverty schools up to high levels of achievement."

Dispelling the Myth Revisited is based on a new database created by the U.S. Department of Education and the American Institutes for Research. It is the first database to combine school-level assessment scores along with demographic information on nearly every school in the country. The database is accessible through The Education Trust's website, www.edtrust.org.

The report is available for downloading at The Education Trust's website or by calling 202.293.1217.◆

Report offers resources for community activists

A new report from the Institute for Education and Social Policy at NYU, *Mapping the Field of Organizing for School Improvement*, offers community organizing groups ideas for organizing strategies and for evaluating their work.

The report, researched and written with assistance from California Tomorrow, Designs for Change and Southern Echo, looks at the work of 66 neighborhood groups in seven large cities and in the Mississippi Delta. The researchers create a useful profile of the groups' shared characteristics and tease out the common patterns in their struggles and successes. The groups surveyed include adult organizing groups, youth organizing groups and intergenerational groups.

The report briefly describes the historical and national context of a rapidly growing school reform organizing movement, and offers insights from the groups about how they negotiate challenges such as the community context, the role of intermediary organizations, using data and participating in coalitions.

The report raises interesting questions for rural organizers as we think about how we do our work and how we evaluate the impact. For example, in a section called "How Organizing Is Initiated And How It Evolves," the authors note, "As groups identify and choose organizing issues, they do not progress from initial concerns about adequate facilities and safety in the lunchroom—what we call presenting issues—to issues about improving the instructional core of schooling. Instead, groups seem to spiral continuously from presenting issues to core issues and back again." Is this consistent with the experience of rural school organizing?

In a section entitled, "What Are Groups Accomplishing?" the authors reported that when the groups were asked, "...about specific school improvements, groups listed commitments they have won to change school policy and practice. The greatest changes are in the quality of learning experiences, followed by improved facilities and safety, greater school accountability and stronger school-community linkages." It seems very significant that groups reported that most improvements had occurred in the category of "high quality learning experiences" since that is a very difficult issue to tackle. And, it is sobering that the groups least reported "stronger school-community linkages."

Although Mississippi Delta groups were included, the findings are drawn largely from the experiences of neighborhood groups in urban areas. In addition, there is not a great deal of discussion about state-level policy work, which is of great interest to all of our policy program partners. Nonetheless, *Mapping the Field of Organizing for School Improvement* is an excellent resource for thinking about local community organizing for school improvement.

For a free copy of the research please call Kavitha Mediratta at The Institute for Education and Social Policy at New York University, 212.998.5877 or e-mail her at kavitha.mediratta@nyu.edu/◆

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MATTERS OF FACT

North Dakota considers district consolidation

North Dakota legislators are considering a plan from the Department of Public Instruction that would consolidate most of the state's school districts, going from 222 to 62 districts. The plan calls for combining as many as nine districts into one new unit. Supporters of the plan argue that consolidation would offer rural students a greater variety of classes and that, because of declining enrollment, North Dakota's small rural schools will have to close anyway. Opponents see differently. The *Grand Forks Herald* (1/27/02) quotes rural school superintendent Tom Tracy as saying, "Are we trying to wipe out rural North Dakota? Because if you wipe out the school, you wipe out the town." A bill has not yet been drafted to implement the plan.

Toxic learning

A report recently issued by the environmental coalition Child Proofing Our Communities Campaign finds that more than 600,000 children in 1,200 schools in five states are attending schools built on or near toxic waste sites. Although The Campaign focused specifically on Massachusetts, New York, New Jersey, Michigan, and California, the report states that most states and school systems have no environmental standards for selecting school construction sites. Many poorer school systems opt to build on cheap land on or near contaminated sites. For more information, visit http://www.childproofing.org/cslzindex.html or call 703.237.2249 ext. 21.

Alaska rethinks school funding formula

The Alaska House Education Committee has approved a bill that would suspend the state's "eroding floor" provision that critics say penalizes rural schools. The provision of the 1998 education finance law decreases any extra district funding for new students by 40 percent. Districts hardest hit by the provision have been mostly rural and Native. The bill would suspend the provision for one year, during which time the cost differences between districts would be studied. Critics have argued that the 1998 law's calculations of district cost differences were based on how much districts were actually spending, not how much they needed to spend. The one-year change would redirect one million dollars in state money to 29 mostly rural districts.❖

Tell us your stories! Let us know what's happening in your schools and communities.

THE RURAL SCHOOL AND COMMUNITY TRUST
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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action

March 2002

West Virginia School Consolidation Nixed by Citizens, Teachers

School closings were stopped dead in their tracks in Fayette County, West Virginia—at least for this year—after Circuit Judge John Hatcher ruled that the county school board violated the state's open meetings law.

Calling the board's decision to hold closure hearings for 12 schools on a single day in January "an egregious affront to the principles of democracy," Hatcher granted a permanent injunction in response to a lawsuit filed by two Fayette County citizen groups.

"The Board finally may be getting the message that they can't run roughshod over the people who pay the bills," said Carolyn Arritt, the Fayette County fellow for the Challenge West Virginia program, a statewide organization that supports small schools.

Arritt, one of those involved in seeking the injunction, said the room where the hearings were held had seating for only 75 people and the board imposed time limits on those who wanted to address the proposed consolidation actions. Arritt said residents who couldn't fit into the room had to listen from a sound system in the hallway, and an estimated 100 people were outside the building unable to even hear.

During the past year community members had tried to suggest a number of cost-saving methods that also would preserve the county's schools, but the superintendent and board members were not responsive, Arritt said. Residents' questions about curriculum, transportation and extra-curricular activities went unanswered.

According to Arritt, even when 86 percent of voters rejected a $39 million bond in May, the board didn't get the message. "They were determined to consolidate the seven high schools into four no matter what the citizens of the county wanted," she said.

The judge agreed that the board violated both the spirit and letter of the law when it conducted five hearings for 12 schools, beginning at 8 a.m. and running all day. He pointed out that the county has many other buildings that were available and could have accommodated the large number of people who came to the hearings.

He pointed out that the First Amendment to the Constitution, as well as West Virginia law, envisions people attending and participating in government, not just watching their elected officials take action.

Barry Bruce, an attorney representing The Meadow Bridge Citizens for Community Schools and Mount Hope Citizens for Community Schools, said Hatcher's ruling made a huge statement for the people of Fayette County.

"And it should echo around the state about what school boards should do when considering ramming consolidation down citizens' throats," Bruce said.

Hatcher said the Board also violated the open meetings law when it met the following Monday and voted to close four high schools without allowing any citizen comment.

Dozens of people waited outside the locked board of education office only to learn they would not be allowed to address the board, Arritt said. They were told the board considered the meeting a "special meeting" which would involve only the vote on the closures.

West Virginia Education Association President Tom Lange was among those who were not allowed to comment. The

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Vermont's "Act 60" Continues to Improve Equity for State's Students

As state legislators once again consider whether to change or repeal Vermont's Equal Educational Opportunity Act of 1997 (Act 60), a new report shows that the controversial legislation continues to improve educational equity for the state's students. The report, *Still "A Reasonably Equal Share:" Update on Educational Equity in Vermont Year 2001-2002*, was funded by the Rural School and Community Trust. The study looked at the latest statewide data to see if the 1997 law had continued its progress toward achieving the three main goals established by the state's Supreme Court and the Legislature: student resource equity, tax burden equity, and academic achievement equity. An update of a similar study released last year, the report shows "notable and continuous progress" in providing equal education opportunities for Vermont's schoolchildren under Act 60.

Highlights of the report include:

- **Act 60 is making significant and steady progress in reducing inequities of Student Resources.** Before Act 60 (FY 98), property wealthy towns

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For copies of the reports reviewed in this issue, visit us on the web at www.ruraledu.org

School Consolidation

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state Education Association and the West Virginia Federation of Teachers joined the community groups in seeking the injunction.

"You are taking the public out of public comment," Lange said. La ge had presented a written report to the school board, outlining the financial condition of the school system. He said his information suggested such drastic consolidation is not needed, and "...for a board to create such uncertainty and chaos in a school system is unconscionable."

Hatcher said the right of people to attend as well as participate in government was thwarted by the hearings, which "by design, format and location . . . were unreasonable by a matter of fact and law."

He said the board, which acted on the advice of Superintendent Harry Hoffer, "should have told the superintendent that reason and common sense dictate that all the people who wanted to attend could not be accommodated in that room."

By deciding to hold the daylong hearings in a small room, the board created "an air of anger and distrust," he said.

State Senator Leonard Anderson, who represents Fayette County in the state Legislature, asked the board to rescind the vote to close the four county high schools.

"By not allowing those who attended the meeting to speak or to ask questions, the school board denied the basic right of taxpayers to petition their elected officials," Anderson said. "They denied the residents the right to participate in the democratic process."

In the aftermath of the Fayette County hearings, the West Virginia House of Delegates unanimously approved a bill creating a statewide procedure for any county considering closing a school. The bill bars more than one hearing a day and requires that school boards allow parents, teachers and other community members a full public hearing in a venue large enough to accommodate them. The State Senate will take up the bill.

The West Virginia Department of Education has supported a policy of school consolidation since the 1980s. The state has lost more than a quarter of its public schools since 1990 and 151 more are targeted for closure.

"The Fayette County case is interesting to those who favor community schools for a couple of reasons," said Linda Martin, coordinator of Challenge West Virginia. "In the past, the executive and legislative leadership have supported consolidation. But this time there was a swift response by lawmakers against the rush to consolidate. It's also interesting that the injunctive effort was joined by the state's two teacher organizations, The West Virginia Education Association and the West Virginia Federation of Teachers."

–Beth Spence, Co-Director of Challenge West Virginia, a statewide organization of parents, educators and other West Virginians committed to maintaining and improving small community schools. For more information, visit http://www.wvcovenanthouse.org/challengewv/about.html.❖

Vermont's "Act 60"

from page 1

spent an average of 37% more, or $2100, per pupil, compared to the poorest towns. In FY 2002, this spending gap was less than 13%, with the per pupil disparity diminished to $900. Thus wealthy communities continue to spend more on their schools, but the gap has been significantly reduced.

- **Act 60 has significantly improved past inequities of Tax Burden for funding local schools.** In FY 98, the poorest families paid the highest percent of their income for school taxes (3.3%) and the wealthiest families paid the least (2.5%). Last year, the poorest households paid less than two percent for school taxes (1.8%), while the wealthiest households paid 2.3%. The percent of income needed to support education dropped in all income categories, though the decrease is most dramatic for those earning the least.
- **Academic Achievement inequities still exist.** Children living in property-rich communities do better on state assessments. Also, children living in towns that spend more on education do better. However, on both of these indicators, our analysis indicates a continued trend towards shrinking the achievement gap. For example, in FY 98, the percent of students meeting or exceeding the standards was 19% higher for the wealthiest communities as compared to the poorest communities. In FY 01 this gap was reduced to 12%.
- **Academic achievement continues to improve in all categories of property wealth *and* in all categories.** Student academic improvement, since the passage of Act 60, has not been limited to the poorest communities. More Vermont students are meeting or exceeding standards across all levels of spending and all levels of property wealth.

"Based on continued improvements in educational equity, it seems wise to continue the critical aspects of Act 60 that have been effective in improving equity," said Lorna Jimerson, Ed.D., the researcher who compiled the report. "Though the tax impact for some Vermonters has been burdensome, the impact for students – *all* students – has been positive. Given the results of this analysis, we believe that Vermont is maintaining its bearing and that Act 60 is accomplishing what it was intended to accomplish."

"As states around the country struggle with school finance issues, it is encouraging to see Vermont's success in finding a school funding formula that is moving the state toward both equity and adequacy," said Rachel B. Tompkins, Ed.D., President of the Rural Trust. "We believe – and Vermont's experience proves – that school funding can be both equitable and adequate."

Passage of Act 60 followed a 1997 Vermont Supreme Court case, *Brigham v. State of Vermont*, in which the court ruled the state's education funding formula unconstitutional. The Court stated, "To keep a democracy competitive and thriving, students must be afforded equal access to all that our educational system has to offer. In the funding of what our Constitution places at the core of a successful democracy, the children of Vermont are entitled to a reasonably equal share."

Jimerson, a policy researcher for the Rural Trust, set out to determine whether progress in achieving educational equity under Act 60 had continued in the past year. Her conclusion is that it did.

"Act 60 is fulfilling the mandates of the Supreme Court decision and the goals of the legislation," said Jimerson. "Spending inequities are decreasing. Tax burdens are more appropriately aligned with income. More children are performing better on statewide assessments. And local control has not been diminished. In short, Act 60 is fulfilling the mandates of the Supreme Court decision and the goals of the legislation." The report is available online at www.ruraledu.org. For a printed copy, call The Rural Trust at 202.955.7177.❖

IN THE COURTS

Groups Ask Arkansas Supreme Court for Decision Supporting Rural Schools

Friend-of-the-Court Brief Filed in Lakeview School Funding Case

On January 31, 2002, the Arkansas Public Policy Panel and the Rural School and Community Trust filed a friend-of-the-court (*amicus curiae*) brief before the Arkansas Supreme Court. The brief, filed on behalf of the state's rural schools, urged the high court to uphold a lower court's ruling in the landmark Lakeview school funding case currently on appeal. "Every school day, geography is determining the educational destiny of thousands of Arkansas students," the brief contends.

The groups asked the high court to uphold the decision that Arkansas schools are unconstitutionally under-funded and that the school funding formula is unconstitutionally inequitable. The state has appealed that ruling to the Arkansas Supreme Court.

The brief contends that:

- Arkansas' large rural population and high rural poverty rate make it essential that the needs of rural students be considered in a court decision on the equity and adequacy of school funding;
- Smaller schools and smaller districts are particularly beneficial to help overcome the effects of poverty on student achievement in poorer communities;
- Equal school funding *does* make a difference: the effects of poverty and the disadvantages of rural geography can be mitigated for rural students if they have equal educational opportunity; and
- The state's property tax system creates serious inequities for rural schools.

If the state is going to guarantee all Arkansas children equal educational opportunity, "the state's school finance system must take into account the extent of poverty in rural communities," the brief contends. Arkansas' poverty rate in 1998 was 16.4%, compared to 12.7% nationally. The poverty rate for rural Arkansas is 63% greater than the U.S. average. "With a declining tax base, Arkansas' rural communities are trapped in a cruel cycle of poverty that prevents them from adequately addressing their single most effective economic development strategy – improving their public schools," notes the brief.

The brief cites recent research showing the benefits of smaller schools and districts for improving academic achievement, especially among poor and minority students, and cautions against closing or consolidating small rural schools. Commenting on this recommendation, Rural Trust President Rachel Tompkins said: "The state should recognize the benefits of small schools and small districts, and try to preserve them whenever possible. If you take poor, rural kids away from their small, community schools and put them in bigger schools far from home, research shows that you may be taking away the one advantage they have."

In their brief the two groups argue that, despite their disadvantages, rural Arkansas students have the capacity to achieve at far greater levels if they are provided with equal educational opportunities. Citing research showing the correlation between poverty, race, and educational achievement, the brief contends that "evidence abounds that with adequate resources, poor and minority children can succeed academically." However, the state's per capita expenditures on education are the lowest in the nation – a fact reflected in poor state and national test results and very poor teacher salaries. "The connection between the State's educational achievement and its financial investment in education is unmistakable," the brief states. The groups recommend that Arkansas target resources based on student needs and local ability to fund schools. "The State's constitutional responsibility to provide students with equal educational opportunity cannot be simply achieved by providing identical funding or programs among all districts," they note.

The reliance on local property taxes to fund public schools has created a school finance system that is inherently inequitable, resulting in significant differences in per-pupil annual spending in "property rich" and "property poor" school districts. The brief points out that the $1,800-per-pupil difference between Arkansas schools spending at the 95th percentile and those spending at the 5th percentile "would be enough to raise teacher salaries, hire more teachers to reduce class size, renovate dilapidated buildings, offer remedial reading courses, or provide computers for every classroom" in a small school district.

"Property taxes can't solve the problem," said Bill Kopsky of the Arkansas Public Policy Panel. "Strapping farmers and rural residents with the highest property tax rates in the state still won't meet basic needs, because the property values in many of our rural counties simply are not very high."❖

New Research Finds Smaller is Better in Arkansas

As the Arkansas Supreme Court considers its upcoming ruling in the Lake View school finance case, and the state's Blue Ribbon Commission on Public Education considers how to provide an equitable education for all of Arkansas' schoolchildren, a report recently released by the Rural Trust indicates that one of the options being considered – consolidation of school districts – would hurt, rather than help, student achievement in Arkansas.

Researchers from Ohio University analyzed test scores from every Arkansas school on seven state-mandated tests to determine if students from low-income

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Arkansas research

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communities do better in small schools and districts, or in large ones. Their conclusion is that, across the board, smaller schools and smaller districts are most effective in reducing the predictable effects of poverty over student achievement.

Included in the results discussed in *Small Works in Arkansas: How Poverty and the Size of Schools and Districts Affect School Performance in Arkansas* is the finding that smaller schools are most effective in reducing the negative effects of poverty when they are part of smaller districts. Smaller schools are particularly important for African American communities. The relationship between school size, poverty, and student achievement is as much as three times greater in schools with the highest percentage of African American students.

Small Works in Arkansas: How Poverty and the Size of Schools and Districts Affect School Performance in Arkansas is available online at www.ruraledu.org. For a printed copy, call the Rural Trust at 202.955.7177.❖

MATTERS OF FACT

Journal features rural school issues

The Council for Basic Education's January journal *Basic Education* is dedicated to rural school issues. Topics include the Rural Education Achievement Program (REAP) recently authorized under the Elementary and Secondary Education Act (ESEA); preparing teacher for rural schools; the challenges of accountability and sustainability in rural schools; and the irony of rural school consolidation in a time when education reformers are touting the benefits of small schools. Two of the articles are by Rural Trust staff members Marty Strange and Doris Terry Williams. To read an online version, visit http://www.c-b-e.org/be/iss0201/a0toc.htm.

New look at rural school trends

"Interstate Variations in Rural Student Achievement and Schooling Conditions," a recent digest from the ERIC Clearinghouse on Rural Education and Small Schools, reviews research on the status of rural student achievement and schooling conditions and describes their variations across the nation and the states. It examines (1) national trends and interstate variations in rural student achievement, (2) rural schooling conditions affecting achievement, (3) interstate variations in rural school conditions, and (4) the challenge of determining "what works" in rural schooling. To read the digest, visit http://www.ael.org/eric/digests/edorc01-5.htm or call 800.624.9120.❖

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action

April 2002

Nebraskans Celebrate Rural Education Day

On February 19, 2002, rural school advocates in Nebraska gathered at the Capitol for Rural Education Day. Sponsored by the School at the Center, Class I's United, and the Center for Rural Affairs, the theme of this year's Rural Education Day was "Save What Works – Seeking Educational Equity for Nebraska's Rural School Children." Jerry Hoffman, the Director of the School at the Center, provided opening remarks that asked the questions "Since 'small works', why destroy rural schools through lack of funding? What is the state's constitutional responsibility to ensure equal educational opportunity to all of Nebraska's children?"

This year's event included rural students speaking out on the need for educational opportunities. Ann Moles, a senior at Nemaha Valley School in Cook, Nebraska (population 333), made the following remarks about being a student in a small, rural school:

"I have, for my whole life, attended a small school. I love the atmosphere, the teachers, and the opportunities. I don't believe that there is anywhere better to learn than a small school. While there might not be as many classes offered, the teachers are able to have more one on one time with students. Also, in a small school, one is able to know everyone, and won't walk down the halls surrounded by strangers.

"Everyone feels like someone special. The teachers in a small school are also the best. Because of a smaller class size, they are able to spend more time with individual students. Also, though not all students are [at the] top of the class, teachers in a small school are able to work with students, thereby finding his or her special talent and working on developing it. Because of fewer teachers, many also take on other duties like coaching or sponsoring after-school programs, often without reaching the pay level of teachers in larger schools. The opportunities available in a small school are hard to beat. A student is able to participate in numerous activities.

"I participate in volleyball, Academic Decathlon (which recently won its fourth straight state title and will be attending the National Championships in Phoenix, AZ), track, math team, quiz bowl, speech team, cheerleading, band, choir, Future Business Leaders of America, business team, annual staff, trap shooting team, and 3-D (our school's drug free group). If I attended a large school, I would have maybe participated in one or two of those activities, and would not have received such a well-rounded education.

"If we really want students of the next generation to have a well-rounded education and to have self-confidence in themselves and their work, small schools need to stay open and need to be supported."

For more information on Nebraska's Rural Education Day, visit the Center for Rural Affairs at www.cfra.org or contact Kim Preston at 402.846.5428.❖

In Arkansas: Consolidation a Cure Worse Than Disease

Trying to save money through consolidation of either schools or districts would likely be "a 'cure' that would worsen the disease" of poor achievement caused by inequities in Arkansas' education funding system. That was the message delivered in testimony by the Rural Trust's policy director, Marty Strange, to the state's Blue Ribbon Commission on Public Education. The Commission is charged with proposing massive changes in the state's troubled education program.

Strange reported on results of a comprehensive statistical study of student test performance in all the state's schools. The study was undertaken with the financial support of the Rural Trust by researchers at Ohio University. They analyzed scores on seven state-mandated tests to determine if students from low-income communities do better in small schools and districts, or in large ones. They found:

- The higher the level of poverty in a community, and the larger the school, the lower test scores are. The smaller a school serving the poorest communities is, the better students do. The same holds true for district size.
- Children from wealthier communities tend to do better on tests than children from poorer communities, but this "achievement gap" is narrower among communities served by smaller schools than among communities served by larger schools. The same is true for smaller and larger districts.
- Smaller schools are most effective in reducing the negative effects of poverty when they are part of smaller districts. Poverty hurts student achievement the most in larger schools within larger districts.
- Smaller schools are particularly important for African American communities. The relationship between school size, poverty, and student achievement is as much as three times greater in schools with the highest

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WHAT WE HEAR...

From Arkansas

The Arkansas State Board of Education has voted to take over two rural school districts, Elaine and Altheimer, both with longstanding academic performance problems and both in the economically distressed Delta region of Arkansas. Ninety-five percent of the children in the Elaine district are eligible for subsidized meals. Teachers in the district are paid $28,166 a year on average, about $6,500 less than the state's average. Conditions are similar in Altheimer, though salaries are closer to the state average. The *Arkansas Democrat-Gazette* reports that the state department intends to place a chief academic officer, curriculum and assessment monitor, and two mathematics and literacy coaches in the Elaine district at a cost of more than $277,000 per year—about 11% more than the local school board has been authorized to spend.

From West Virginia

According to the *Charleston Gazette*, when the West Virginia Department of Education named Nuttall Middle School in Fayette County, West Virginia one of only 50 "exemplary" schools in the state, parents, teachers, and administrators, at didn't find much cause for celebration.

The Fayette County school superintendent had just recommended to the County Board of Education that the small, rural school be closed, and its students bussed to distant schools where they would be taught either in a room now used for concessions, or in a basement. They would be leaving behind counseling and tutoring programs, an alternative school for kids with discipline problems, nursing and truancy programs. More than likely, they would also be losing their top academic performance that had helped earn the school its "exemplary" status. The superintendent's argument: Closing Nuttall would save the county $77,018 a year.

Nuttall's fortunes turned for the better when an accountant found a math error in the savings calculation. The savings would only be $30,862. The superintendent refused to change his recommendation, but the school board balked and the community organized around the battle cry "Nuttall should be cloned, not closed!"

A court has ruled the closure of several schools in the county must be put on hold, a school board election has changed the composition of the board, and the superintendent has been dismissed.

In the meantime, one State Board of Education member has asked why seven of the state's 50 exemplary schools are also scheduled to close under county consolidation plans.

From Mississippi

According to the *Jackson Clarion-Ledger*, proposed Mississippi state budget cuts have placed about a dozen schools at risk of financial bankruptcy. The state plans to take about one-third of a $158 million revenue shortfall out of the budget for school districts. According to law, the state could take over districts that end a fiscal year with a deficit, but that isn't likely. After all, how would the state cure the problem except by spending more money?

From Pennsylvania

As Pennsylvania tries to deal with a continuing struggle around school funding and property taxes, rural schools are finding that they have an ally in Pennsylvania Rally for Public Education, an urban group of Pittsburgh parents and citizens. In a recent letter to the editor of the *Pittsburgh Post-Gazette* (3/19/02), Theresa Smith the Co-Chair of the group, wrote, "We will never enjoy strong economic development without solving the problem of high property taxes. If we are to attract businesses and prepare their future employees, we need to consider this problem an economic development dilemma...We live in a state that has 3.6 million rural people, the largest rural population in the country. Many of these areas suffer from a dwindling tax base. Don't these children deserve a high-quality education as well?"

Sandy Zelno of the Pennsylvania School Reform Network (PSRN) reports that the Pittsburgh group has been a great advocate for the rural funding cause and says, "Even die-hard urbanites can start spitting the word 'rural' off their tongues when they try!"

From Alabama

In an effort to motivate and boost student awareness of education, Caring Alabamians Reforming Education (CARE), along with an Alabaman Hip-Hop group Black Phoak, is currently promoting Academic Pep Rallies throughout the state's high schools. Through recommendations from principals and local radio stations, the pep rallies that had started in one schoolhave grown into a statewide tour.

To further involve the student in their educational programs, CARE will launch a new High School Listening Session project called *What's Up?* with the help of local senators and board members. The project will host monthly sessions with students on issues such as health, college, their immediate education, and their place in society. To further assist in the fight to educate Alabama's youth, CARE board member Dr. Tom Ellis, community members and Black Phoak will be on hand to provide entertainment, voter registration and health screenings.❖

Arkansas Consolidation

from page 1

percentage of African American students.

Strange also pointed out that consolidating the smallest schools serving the poorest communities would lower their student's performance levels, making it much more difficult for the now larger schools to meet the "trend and improvement" standards required by the Arkansas Comprehensive Testing, Assessment, and Accountability Program.

Schools or districts that fail to meet these improvement standards will fall under various sanctions, and will require more state oversight and supervision. This will increase costs, and likely more than offset any financial gains to come from consolidation.

"It would be penny wise and pound foolish to try to spend less by making schools or districts bigger," Strange told the study commission.❖

IN THE COURTS

High Stakes in the Supreme Court

Rural education advocates would be well advised to keep an eye on a significant case pending in the U.S. Supreme Court that has the potential to sap further resources away from under-funded rural public schools and could lead to further segregation of public schools. On February 20th the high court heard arguments in *Zelman v. Simmons-Harris*, a case involving the constitutionality of the Cleveland, Ohio voucher program. Under the four-year-old program, the state provides parents with vouchers worth up to $2,350 for lower-income, elementary-age children to attend one of 49 participating schools. Parents are expected to contribute from 10 to 25 percent of the school's tuition, depending on family income.

Last year, the State of Ohio supported the program with $14.9 million in state aid. Nearly 4,000 children are using vouchers under the program with 99% of the voucher students attending private religious schools. Opponents of the program argue that the significant amounts of government money reaching private religious schools violates the establishment clause of the First Amendment. Supporters contend that the program is constitutional because parents, not the government, choose to use vouchers at religious schools.

A key point in the case could be whether or not the voucher program benefits students. Ohio has contracted with the Center for Evaluation at Indiana University for an official study of the program. The center has kept track of voucher students, along with control groups of public school students who applied for vouchers but did not receive them and other public school students who did not apply for vouchers. In a September 2001 report, the Center found that with only minor exceptions, there is no pattern of achievement difference based on scholarship status among the groups. A copy of the report is available at: http://www.indiana.edu/~iuice/.

Although the court will only decide the First Amendment question presented in the case, privatization and pro-voucher advocates would likely try to use a court decision in favor of the Cleveland program to establish new programs in other states. Voucher programs have the potential to sap resources away from rural and urban public schools—schools that are currently struggling to educate all students. New voucher programs might also cover students who are currently enrolled in private religious schools. In effect, these programs would ask taxpayers to pick up the tab for students already attending private schools. In the current tight fiscal environment facing most state governments, including Ohio, it is doubtful that state legislatures would be likely to increase aid to the public schools while also starting to pay for the education of private students who are not currently funded by state tax dollars.

A court decision in favor of vouchers could be particularly harmful in the South where a separate system of largely white private schools exists. This separate system could possibly be funded by state sponsored voucher programs nearly 50 years after *Brown v Board of Education* held that racially segregated schools deny black students equal protection of the law under the U.S. Constitution.

In the end, public school students, including students attending the nation's resource deprived rural schools, could be hurt in a number of ways if the court sanctions the Cleveland program.

Whether private school vouchers are good educational policy will probably not be addressed by the high court. On this point it is clear that Americans support public schools, not vouchers. Voters consistently say that they do not favor vouchers because they take critical dollars away from public schools, they risk leaving thousands of children behind because private schools are often not willing to educate hard to serve special education and limited-English proficient students and, they diminish public accountability for taxpayer dollars.

The historical essence of America's public schools is that they are publicly funded, publicly accountable, and open to everyone. Although the Supreme Court probably will not say much about these issues when it decides the *Zelman* case, its decision could, nevertheless, be a watershed event that shapes the future of public education across the nation.

A final decision by the court is expected this summer.❖

Rural Education Achievement Program Update

As of this writing, President Bush's FY 2003 budget proposal eliminates funding for the Rural Education Achievement Program (REAP). REAP, which is part of the Elementary and Secondary Education Act, (ESEA) is made up of three initiatives that are designed to help rural districts compete effectively for Federal competitive grants and make better use of grant allocations that are often too small to be effective. The three initiatives are 1) the Alternative Uses of Funds Authority, which allows eligible districts to combine funding under certain programs to carry out activities under other, specified federal programs; 2) the Small, Rural School Grant Program, in which grants are awarded directly to eligible districts to carry out activities under other, specified programs; and 3) the Rural and Low-Income School Program, in which grants are awarded to states, that in turn award grants to eligible districts either directly or competitively for specific activities.

For a fact sheet on REAP, including information on the application process visit http://www.ed.gov/offices/OESE/reap.html or call Charles Lovett at 202.401.0039.

To get a rural perspective on ESEA, read "Rural Schools See Problems Meeting ESEA Rules" in *Education Weekly* (3/13/02) at http://www.edweek.org/ew/

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Achievement Program

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ew_printstory.cfm?slug=26rural.h21.

For a look at the implications ESEA has for community school advocates, visit the Coalition for Community Schools at http://communityschools.org/newsletterv.2.4.html or call 202.822.8405.

If you're interested in learning more about program implementation of REAP, contact the Rural Trust at info@ruraledu.org or go to our website at www.ruraledu.org.❖

MATTERS OF FACT

Idaho organization sees education as key to rural economic development

According to a report recently released by the Andrus Center for Public Policy in Idaho, investing in public education is the key to revitalizing the state's rural communities. The report, *Rural Idaho:Challenged to Change*, is based on a two-day conference held last fall on rural issues. The authors write, "Idaho voters must insist in strong and consistent investment in education. They must develop tax policy that puts more tools in the hands of local officials who must lead the rural recovery." The report comes at a time when budget writers have cut $23.3 million in state aid to public schools. For more information, visit http://www.andruscenter.org or call 208.426.4218.

Rural teacher pay in Minnesota lags

Schools in what were once rural Minnesota towns are becoming suburban yet teachers in these schools are not seeing their salaries rise to suburban levels. The *Pioneer Press* (3/25/02) reports that in the Farmington district, a former farm community that has become a bedroom community for the Twin Cities, teachers with master's degrees and ten years teaching experience make $36,713. In nearby Rosemount-Eagan-Apple Valley district, the 10-year teacher makes $51,000. Greg Ohl, the Superintendent of Farmington is quoted as saying that while enrollment growth means additional education revenue for the district, "the problem is when you're growing, you need that money to hire more teachers, not just provide raises for the current folks." Farmington is not currently considering raising taxes to boost teacher pay.❖

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action May 2002

Victory in North Carolina School Finance Case

Rural and at-risk students in North Carolina's public schools won a major court victory on April 4 when Superior Court Judge Howard Manning, Jr. issued his final ruling in the state's school finance case (*Leandro v. North Carolina*) filed by schools, parents and children in five low-wealth and predominately rural school districts.

In 1997, the North Carolina Supreme Court ruled that under the state constitution's education clause, students have a fundamental right to receive a "sound basic education." The court defined a "sound basic education" as one that will at least provide every student with:

- Sufficient ability to read, write, and speak the English language, along with a sufficient knowledge of fundamental mathematics and physical science, to enable the student to function in a complex and rapidly changing society.
- Sufficient fundamental knowledge of geography, history, and basic economic and political systems to enable the student to make informed choices regarding issues that affect the student personally or affect the student's community, state, and nation.
- Sufficient academic and vocational skills to enable the student to successfully engage in post-secondary education or vocational training.
- Sufficient academic and vocational skills to enable the student to compete on an equal basis with others in further formal education or gainful employment in contemporary society.

The high court sent the case back to Judge Manning to determine whether or not the current education and funding system were, in fact, providing all students with a sound basic education.

In his final ruling Judge Manning noted the following key findings:

- The constitutional right to a sound basic education is not a minimum standard, but rather, a high standard that applies to all students. The state's testing program used to judge student achievement uses four levels to measure student performance (Levels I, II, III and IV). Under the constitution, Level III performance is required, not Level II as advanced by the state.
- Nearly 40% of the state's students are not performing at Level III as required by the constitution. Most of these students are considered to be at risk of failure due to poverty, race or their socioeconomic backgrounds.
- At-risk children require more educational resources. With effective, individualized and differentiated instruction delivered by well-trained, competent teachers with high expectations, at-risk children can achieve at far higher levels.
- Every school in North Carolina is capable of having 90%of its students at grade-level proficiency.
- Students who drop out of high school are not receiving a sound basic education.
- Under the current system, at-risk students are not receiving the equal opportunity to obtain a sound basic education mandated by the North Carolina Constitution.

The court went on to identify the components necessary to ensure that students are offered a sound basic education.

1. Every classroom must be staffed with a competent, certified, well-traine teacher who is using effective educational method(s) that provide differentiated, individualized instruction, assessment and remediation to the students in that classroom.
2. Every school must be led by a well-trained, competent principal with the leadership skills and the ability to hire and retain competent, certified and well-trained teachers.

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New Hampshire Schools: Adequate and Accountable?

A divided New Hampshire Supreme Court ruled recently that the state is not doing enough to hold schools accountable, nor to provide the state's students with an adequate education. In what is being considered a victory for the plaintiffs, the Court said that the state must "do more than merely encourage school districts to meet educational standards." The Court also said that the state cannot waive standards for some schools simply because they lack resources. The state is responsible for ensuring that all schools have the resources to meet whatever standards are set.

Although New Hampshire lawmakers generally agree that the state should monitor test scores, there is some contention as to how schools should be held accountable. Critics argue that giving the state the role of enforcer would be giving the state too much power over local districts.

Currently, New Hampshire third, sixth, and 10th grade students take

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A warm Rural Trust welcome to all of our new subscribers in Tennessee!

RC 023827

School Finance

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3. Every school must be provided with the resources necessary to support an effective instructional program so that the equal opportunity to obtain a sound basic education for all children, including at-risk children, can be met.
4. At-risk 4-year-olds are entitled to pre-kindergarten programs in order to obtain a sound basic education.

In his decision the judge makes it clear that under the state constitution and key education laws, the state of North Carolina—not local school systems—has the ultimate obligation to provide each child with an equal opportunity to obtain a sound basic education. The judge concludes by observing that the solution to this problem lies in the hands of the General Assembly and the State Board of Education. In the words of the judge: "The State of North Carolina must roll up its sleeves...and cause effective educational change when and where required." According to Judge Manning, if more resources are required then it is the duty of the state to provide those resources.

Rural advocates, who for years have been claiming that property-poor rural schools lack the resources they need to offer students equal educational opportunity, hailed the court decision as a victory. Sheria Reid, an education attorney with the North Carolina Justice Center, a Rural Trust's partner organization that has worked on the case for several years said: "The court has spoken in clear terms. The judge has confirmed what is wrong with our education system and how to fix the system. It is time for the state to move forward to ensure that every child, especially children living in rural communities, receive the teachers, school principals, programs and resources they need in order to ensure that each student's constitutional right to a high-quality education is promoted."

Reid's sentiments were echoed by a number of education organizations and most of the state's newspapers, that called on the Governor and the Legislature to forego an appeal of the decision and begin implementing a remedy immediately. The state has 30 days to decide whether or not it will appeal the trial court decision to the North Carolina Supreme Court.❖

Teacher Salaries in Rural States Lagging

Preliminary data released by the National Educational Association (NEA) last month indicates that average teacher salaries in predominantly rural states lag significantly behind salaries in urban states. And the difference is dramatic.

This annual NEA report, *Rankings & Estimates*, presents demographics and statistics from all 50 states and the District of Columbia on a wide range of educationally relevant areas. The latest report summarizes the 1999-2000 data and makes estimates for 2000-2001.

Not unexpectedly, the states ranking the lowest in salary are *all* primarily rural states. This list includes: South Dakota, North Dakota, Mississippi, Montana, Louisiana, New Mexico, Nebraska, Oklahoma, Arkansas, Wyoming and West Virginia. And notably, *every* state above the national average of $43,335, except for Alaska, is a more densely populated urban state. The salary differentials are striking. First ranking New Jersey, for example, has an average salary ($53,281) that is over 76 % higher than the average salary in South Dakota ($30,265).

Average teacher salaries do not tell the whole story, of course. They reflect the percent of highly experienced teachers, as well as the actual salary scale. Also, state-level data is needed to illuminate the within-state salary differences between rural and suburban/urban areas. Later this spring, NCES will release data that will help understand these issues. Until that time, this NEA report is informative, and for rural communities, quite alarming.

For a copy of the report, call 202.822.7200 or visit http://www.nea.org/publiced/edstats/rankings/02/ranking.pdf.❖

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E-mail us at info@ruraledu.org to suggest resources that you've found useful in your work.

Adequate and Accountable?

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state assessment tests, but districts are not required to respond to test scores. While there is no deadline attached to the recent ruling, the state will soon have to begin meeting new Federal accountability standards established in President Bush's *"No Child Left Behind Act."*

This latest ruling caps more than a decade of education litigation in New Hampshire. In 1991, five low-wealth school districts (one rural, one large town, and three small towns) sued the state saying that New Hampshire's heavy reliance on local property taxes discriminated against children in poor towns. In 1993, the State Supreme Court ruled that the state constitution guarantees all children an adequate education. In 1997, the Court ruled that the education funding system was unconstitutional and ordered the state to come up with a new finance system. The Legislature then passed a statewide property tax.

In a separate but related story, the New Hampshire House recently approved a bill that would cut school aid by $38 million. The bill would cap education aid increases based on inflation. Critics assert that the bill ties increases to the Northeast Consumer Price Index, which doesn't measure labor costs – the biggest school expense.

The *Nashua Telegraph* (4/18/02) quotes Rep. Marjorie Smith, D-Durham, as saying that capping aid increases shifts more of the cost onto the local property taxpayers. "If the money isn't coming from the state, it's coming from the local taxpayers," she said.❖

Lowering the Overhead by Raising the Roof:

And Other Rural Trust Strategies to Reduce the Costs of Your Small School

Too often people say they agree that small schools are better for students, teachers, and people in the community – but then they add, "We can't afford them." The Rural Trust believes that the opposite is true – we can't afford NOT to have smaller schools. In *Lowering the Overhead by Raising the Roof*, a new publication written to help communities reduce the costs of maintaining, building, and renovating small schools, author Barbara Lawrence reports on specific strategies that rural communities have used and shares what she has learned from people throughout the country.

The title of the publication comes from a creative solution one rural community used to address their affordable, year-round housing shortage and their difficulties attracting and retaining teachers. The tiny community of Isleford, Cranberry Isle, Maine has a small school located in a structure built in 1913, which had an unused and spacious attic. In 1992, local contractors converted the attic into an apartment, to be offered at a less-than-market rate to help attract a qualified teacher to this isolated community and offer an inducement to remain. The current teacher and his family have been in residence for several years, and the comfortable apartment is a real benefit, making living on the island an attractive choice for them.

Lowering the Overhead begins by suggesting factors to consider before starting to plan a school facilities project, such as understanding the resistance to small schools that many administrators and legislators may have, and also understanding the importance of examining and questioning state policies. It may be difficult to change policy that is outmoded, or never made much sense, but it is possible. *Lowering the Overhead* continues by providing a total of 13 strategies for reducing costs including the importance of good maintenance and siting and using renovation instead of new construction. The book ends with an extensive list of resources for further information on the strategies. The strategies demonstrate that it is possible to afford good small schools by being creative, proactive, and willing to make some compromises.

Lowering the Overhead by Raising the Roof is available through the Rural Trust. To order, send shipping address and check for $10 payable to "Rural School and Community Trust" to: Rural Trust, 1825 K Street, NW, Suite 703, Washington, DC 20006.

Join the Rural Trust's School-Community Facilities Network. For more information see: www.ruraledu.org/facilities.html, and join the school-community facilities list serv by e-mailing facilities@lists.ruraledu.org.❖

Small Schools Healthier for Students

According to the latest results from the National Longitudinal Study of Adolescent Health, small schools are not just better for student learning, they're better for student health as well. *Improving the Odds: The untapped power of schools to improve the health of teens*, by Dr. Robert Blum of the Center for Adolescent Health and Development at the University of Minnesota, takes an in-depth look at school connectedness – a student's feeling of being part of and cared for at school.

The study finds that school size is the only structural characteristic associated with school connectedness; as school size increases, school connectedness declines. Students with more school connectedness are less likely to engage in risky behavior such as drug use, violence, or early sexual behavior. According to Blum, "In smaller schools, students, teachers, and school administrators all have more personal relationships with each other. They know who you are. This is important to keeping kids engaged and a part of school."

Other factors that improve school connectedness are teachers who make students feel like they are valuable contributors and students who have racially integrated groups of friends. Factors with no strong association with school connectedness include classroom size; teacher experience or completion of an advanced degree; and having harsh disciplinary codes.

The results are drawn from written surveys filled out by 71,515 students in 127 schools. For more information, visit http://allaboutkids.umn.edu or call Brenda Hudson at 612.624.5680.❖

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MATTERS OF FACT

Education finance database now available

A new website from the National Conference of State Legislators (NCSL) allows users to look up and compare the education finance systems of every state. The free resource can be used to gather information about local taxing methods, tax and spending limits, tax credits and exemptions, earmarked state revenue, foundation program information, and recent school finance litigation. Users also can compare spending on individual issues such as special education or technology for every state. For access to the database, visit http://www.ncsl.org/programs/educ/ed_finance/intro.htm.

Ohioans support community schools

A recent poll finds that Ohio residents see schools as the centers of communities. According to the KnowledgeWorks Foundation, 87% of respondents agree that "everyone in the community should be more involved with local public schools" and 84% supported community use of facilities during afternoon, evening and weekend hours for activities like health clinics, recreation activities, and parenting and adult education classes. For more information on the *Ohio's Education Matters* poll, visit http://www.kwfdn.org/2001_poll/index2.html or call 513.929.4777.

Tracking rural educational attainment

The National Center for Education Statistics report "Coming of Age in the 1990s: The Eighth-Grade Class of 1988 12 Years Later" presents findings from the fourth follow-up survey of the National Education Longitudinal Study of 1988 (NELS:88/2000). The report examines the educational and labor market outcomes of the initial eighth-grade cohort of 1988 in the year 2000, when the majority of the cohort was 26 years old. According to the report, 81.9% of the cohort who lived in rural places had received a high school diploma, and 21% had received a bachelor's degree. 9.8% of the rural students had not received a high school diploma or an equivalent, compared to 7.2% of urban students and 6.9% of suburban students. To read the complete report, which is currently only available online, visit http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2002321.❖

Send us your stories!

Every one of our headline stories in *RPM* this year was submitted by one of our subscribers. E-mail editor Elizabeth Beeson at policyprogram@ruraledu.org or call 802.728.5899.

THE RURAL SCHOOL AND COMMUNITY TRUST

Rural Policy Matters

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action June 2002

E-Rate Update

In an attempt to streamline the "universal service schools and libraries program," generally known as the E-Rate program, the Federal Communications Commission (FCC) asked for public comment on many areas of the program's administration. The Education and Library Network Coalition (EdLiNC), a coalition representing schools and libraries around the nation, has gone to bat for an effective program to fund telecommunications use and infrastructure nationwide. The E-Rate program uses funds collected from telecommunications carriers to cover discounts offered to schools and libraries for their telecommunications infrastructure and services. Recognizing that the program has been an especially important asset for rural schools, the Rural School and Community Trust is a member of EdLiNC.

Briefly, here are some of the key positions taken by EdLiNC and the Rural Trust:

- Funding commitments to applicant schools or libraries which are left unused at the end of any fiscal year (i.e. the applicant did not complete a project) should be added to the next funding year's total, since the demand for discounts is running double the $2.5 million in available funds each year.
- Discounts should not be used to pay for Internet access that is "bundled" with content because the fundamental purpose of the E-Rate program is to fund telecommunications services, not content.
- Discounts should expand to cover funding for wireless services and voice mail used for educational purposes.
- Applicants should have the choice between paying the provider the full cost of the service, later claiming reimbursement from the provider through the E-Rate fund, or in the alternative, paying the provider only the discount price, leaving it to the provider to get the rest reimbursed from the fund.
- Providers or applicants who are willfully or repeatedly in noncompliance with program regulations should be suspended from participation.

As expected, several telecommunications carriers had a different perspective. For instance, many carriers wanted unused funds returned to them, or used to offset future contributions. Also predictably, wireline providers wanted to restrict the use of E-Rate funds for wireless service.

The FCC will sort it out and issue an order addressing these and other issues. Meanwhile, schools and libraries are beginning to receive their funding commitment letters for Funding Year 2002-03. The estimated demand for telecommunications and Internet access for 2002-03 is $1.817 billion, while the estimated demand for internal connections totals $2.619 billion. Since a total of only $2.25 billion is available, it is likely that for the first time the fund may be unable to meet all requests for internal connections, even for applicants falling at the 90% discount level.❖

Rural Nebraskans Support Their Schools

The news surrounding rural schools sometimes appears to be all bad: declining enrollments, inadequate and discriminatory state financing schemes, consolidation. However, the demonstration of support for rural schools in the state of Nebraska is good news to balance out the bad.

In 1996 the Nebraska Legislature adopted LB 806, the law containing the state's school finance formula. A year later, the Legislature adopted LB 1114, which places state-imposed levy limits on local property taxes, including those that help finance schools. The law allows political subdivisions supported by property taxes – including school systems – to override these levy limits with the approval of the voters in the political subdivision. Essentially, citizens can choose to increase their property taxes.

Because of decreases in state aid to many school systems since the school finance formula was implemented, many school systems have faced the difficult choice of asking voters for more funding through increased property taxes. Generally, the alternative is stark: merge with another school system, significantly reduce educational programs and personnel or increase revenues. The decision is made doubly difficult by Nebraska's economy and tax structure – property taxes hit rural citizens very hard, particularly farmers and ranchers; incomes in rural Nebraska are among the lowest in the nation and Nebraska has one of the five highest rates of agricultural property tax rates in the nation.

Since 1998, there have been 60 school property tax override elections in the state (some districts have tried twice). Forty-one override attempts have passed, with citizens agreeing to

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Let us know what you think of our new website at www.ruraledu.org!

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New Reports Provide Education Data

The National Center for Education Statistics (NCES) has recently released several new reports on elementary/secondary education statistics. Each of the reports is available through the NCES website, http://nces.ed.gov.

"Digest of Education Statistics, 2001" provides a compilation of statistical information covering the broad field of education from pre-kindergarten through graduate school. 430 tables are available to view on the web, or they can be downloaded as Excel, Lotus or PDF files. Among the statistics included:

- 26.3% of U.S. public schools are located in rural places and enroll 17.2% of all public students. Rural schools make up the largest proportion of public schools in the U.S.
- 38.4% of school districts have enrollments of less than 599 students and enroll 6.1% of U.S. public school students. 1.6% of school districts have enrollments of more than 25,000 students and enroll 32.1% of U.S. public school students.
- 52% of rural schools report having at least one, less-than-adequate building feature. 70% of rural schools need to spend money to bring their buildings into good overall condition.
- 8% of rural public schools reported a serious violent crime, compared to 17% of urban schools.

The web-enabled report is available at http://nces.ed.gov/pubs2002/digest2001/.

"Arts Education in Public Elementary and Secondary Schools: 1999-2000" provides national data on arts education in public elementary and secondary schools for the 1999-2000 school year. Among the findings: rural schools are the least likely to offer music (87% offer music classes), visual arts (87% offer visual arts), dance (6% offer dance), or drama (37%offer drama). The report is currently only available online and is located at http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2002131.

"The Nation's Report Card: U.S. History 2001" presents the results of the 2001 assessment in U.S. history public school courses from the National Assessment of Educational Progress. Among the findings: at grades 4 and 8, students attending schools in rural and urban fringe locations had higher average scores than students in central city schools. At grade 12, students attending schools in urban fringe locations had higher scores than students in both rural and central city locations. For more information, visit http://nces.ed.gov/nationsreportcard/ushistory/results/ or call 1.877.4ED.Pubs.

"Public High School Dropouts and Completers From the Common Core of Data: School Years 1991-92 through 1997-98" presents dropout and four-year high school completion rates by state. Dropout and completion rate data are broken out by state, race/ethnicity, grade, and locale. Among the findings: of the states that reported dropout rates in 1997-98, Kentucky had the highest rural dropout rate at 9.9% and Wisconsin had the lowest rate at 1.3%. In general, students in rural districts are less likely to drop out than are their peers in large or mid-size cities. The full report is currently only available online at http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2002317.

"Early Estimates of Public Elementary and Secondary Education Statistics: School Year 2001-2002" provides information on the number of students in enrollment, teachers, high school graduates and total revenues and expenditures. This report, which does not contain rural-specific information, is only available online and can be downloaded at http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2002311.

"Statistics in Brief: Revenues and Expenditures for Public Elementary and Secondary Education: School Year 1999-2000" contains basic revenue and expenditure data, by state, for public elementary and secondary education for school year 1999-2000. The report, which does not contain rural-specific information, is only available online and can be downloaded at http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2002311.

"Financing Elementary and Secondary Education in the States: 1997-98" presents state-level analyses of revenues and expenditures for the 1997-98 school year and includes information on capital and facilities spending by state. The report is only available online at http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2002319. ❖

Nebraska Support

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raise property tax levies with an average "yes" vote of 69%. There is no better example of support for public schools.

However, given the facts of Nebraska's economy and tax structure, one would hypothesize that rural Nebraskans would be reluctant—if not downright hostile—to proposals to increase property taxes, while generally more prosperous urban and suburban voters would be more amenable. In fact, the results are the opposite. Of the 60 override elections, six occurred in urban, suburban or large rural school systems. Only two of those six override attempts passed (including the first school system override attempt in 1998 by what is generally considered the wealthiest suburban district in the state; it is also interesting to note that the two closest votes in successful override elections were these two larger school systems). The Lincoln school system—the state's second largest and home to the state capitol and the University of Nebraska—has failed in two override attempts by significant margins. Thus, small, rural school patrons have voted to increase their property taxes in 39 of 54 attempts.

These successful overrides were in districts with some of the smallest schools in the state. Many are also in agriculturally-based communities with low average incomes and high property tax burdens. The good news coming out of rural Nebraska is that its citizens are willing to raise their own taxes to support their schools—a demonstration of their commitment to community-school connections, to retaining community identity and, most importantly, to their children.

—Jon Bailey is the Rural Policy Program Director at the Center for Rural Affairs in Walthill, NE. He can be reached at jonb@cfra.org or by calling 402.846.5428. Visit the Center for Rural Affairs online at www.cfra.org. ❖

Vermont School Choice Experiment May Negatively Affect Rural Schools and Communities

Most research on the effects of school open-enrollment programs is concentrated on urban and inner-city schools. Now, a recent study of a five-year experimental open-enrollment program in Rutland County, Vermont provides insight on how such programs might negatively impact small and rural schools.

Starting in 1997, the seven high schools in Rutland County, Vermont started a pilot open-enrollment program that allowed up to 10 students in each school to transfer to another high school of their choice. No money was exchanged between the schools, with the exception of excess special education costs which were borne by the home district. If there were more students wanting to transfer into or out of a particular school, a lottery was used to select participating students. Under the program, students or their parents were responsible for arranging transportation.

Four years into the program, the superintendents of schools in the Rutland Regional School Choice Collaborative conducted an evaluation of the program. Surveys were sent to all 63 students enrolled in the voucher program and 60 were completed and returned. These open-ended questionnaires asked about reasons for choosing, positive and negative features, co-curricular participation and transportation. In addition, guidance counselors provided grade point averages both before and after choosing. School level data were collected on key factors such as achievement scores, poverty and income.

Among the findings were:

- 76% of the students that participated in the program migrated from small schools to larger schools, suggesting that small high schools in Vermont could be significantly and negatively impacted particularly if money followed the student.
- 67% of the participating students moved toward a school in the center of the region rather than laterally or out to a more distant school, suggesting that the long-term viability of rural school and community connections could suffer.
- Neither participating students nor the receiving schools showed significant academic improvement under the program. Choosing students had average grades between a low B or high C, and they remained at this level in the choosing school. Further, the relationship between school test scores and the most popularly chosen schools was weak.
- The leading reason students chose to attend another school was related to social connections and friends, not academic concerns.
- The ability of students to participate in the Vermont school choice program was affected by the student's access to an automobile or a parent willing and able to provide transportation. This factor could lead to further centralization of schools when parents work in the central area.

Participating students tended to choose schools in higher income areas which, when coupled with access to transportation, could lead to socio-economic separation of students.

In sum, the study concluded that gains associated with the choice experiment have, after four complete years, proven illusive. Beyond students being satisfied with their decision, no gains in academics or in other areas were attributable to the program. The study concludes that such school choice programs have the potential to negatively affect the viability of many small, rural schools and communities.

Information about the study and where to obtain copies: *William J. Mathis and Deborah Etzler. "Academic, Socioeconomic and Transportation Correlates in a Rural Public School Voucher System." Paper presented at the 2002 meeting of the American Education Finance Association. Electronic or text copies of the full report are available by calling or emailing Sid Glassner, Executive Director, Vermont Society for the Study of Education, (802) 247-3488 or e-mail at essmont@sover.net.*❖

Census Shows Gaps Between Rural, Urban

New U.S. Census data are showing that there is an increasing economic divide between rural and urban counties across the country. By and large, rural counties missed out on the economic boom of the '90s, a fact that is reflected in higher poverty levels and lower educational attainment levels.

In Washington state, the income gap between rural and urban counties is the widest it has been in 30 years. Lower rural incomes are not always offset by lower housing prices. Rural residents are spending a large proportion of their incomes on rent or mortgage payments.

With manufacturing businesses leaving rural areas and agriculture becoming less viable, Nebraska's rural towns are losing both population and economic clout.

Wisconsin, North Dakota, Minnesota, South Dakota, Nebraska, Iowa, Kansas, Missouri, Illinois and Indiana grew a

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MATTERS OF FACT

Idaho's rural schools get federal funds

Idaho's rural schools will be receiving $5.4 million in federal grants to improve safety in small districts. Grants ranging from about $7,600 to $245,000 are going to mostly small, rural school districts. Much of the money will be used to demolish unsafe school buildings, remove asbestos and remodel buildings to accommodate people with disabilities. The *Idaho Statesman* (5/20/02) reports that Idaho school districts have struggled with improving dilapidated buildings since a district court judge ruled in 2001 that the state's funding mechanism for raising money to fix buildings was unconstitutional.

Colorado lawmakers approve School Finance Act

Colorado lawmakers have approved the School Finance Act, which directs $4.1 billion into K-12 education. The finance act also includes $15 million to fund a facilities lawsuit settlement. The money will mostly go to rural districts to replace school buildings. According to the *Rocky Mountain News* (5/10/02), the money will mean new buildings for districts like rural Las Animas, where the 86-year old Columbian Elementary schools' brick walls are literally pulling apart and where a lack of elevators means classroom aids carry disabled students up and down stairs.

Alaska's rural districts approved for funding increase

Alaska's House and Senate Finance Committees have agreed to put close to $1 million in the state's capital budget to offset the money that 22 rural districts will lose under the current funding formula. The 1998 school funding formula's "eroding floor" provision decreases any extra district funding for new students by 40%. Districts hardest hit by the provision have been mostly rural and Native. The $1 million in supplemental funds would be for one year only, until the results of a study examining the cost differences of rural and urban districts is complete. ❖

Census data

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combined 8.1% during the last decade, well below the national average of 13.2%. Forty-seven of North Dakota's 53 mostly rural counties lost population.

In Mississippi, where 16.2% of the population has a household income of less than $10,000, an increasing proportion of rural younger people are driving into Jackson for jobs.

Throughout the month of May, the U.S. Census Bureau released new information about income, education, commuting and birthplace for every state. ❖

THE RURAL SCHOOL AND COMMUNITY TRUST

Rural Policy Matters

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action

July 2002

West Virginia Court Says School Board Blocked Citizen Participation

West Virginians who support small schools won another court victory in June when a Raleigh County circuit judge blocked the closing of Marsh Fork High School, concluding that the county's ten-year planning process was flawed.

Judge H. L. Kirkpatrick III said Marsh Fork residents were denied "basic fairness" because they were not included on the committee "vested with the responsibility of researching and compiling the data ultimately expanded upon and utilized as justification for the closure of their own high school."

"It's not surprising that these people feel disaffected and alienated from a local board that, from all outward appearances, seems to ignore them," Kirkpatrick said. "Equal representation is a fundamental principle of democracy."

Attorneys for the school board were unable to identify members of the county's Comprehensive Educational Facilities Plan (CEFP) committee or say how many people served on it, stating only that the committee was "fluid."

Every school district in the state was required to submit a comprehensive facilities plan in order to compete for school building funds, and the plan was supposed to reflect large-scale citizen participation.

The Raleigh County school board voted in March to close Marsh Fork on a 3-2 vote. Kirkpatrick said there was no input from residents prior to the vote.

"It stretches the imagination to believe that any of these citizens from the Marsh Fork area who have commissioned studies, compiled statistics and packed both hearing and courtroom on behalf of Marsh Fork High School, would fail to seize the opportunity to serve on a CEFP committee if invited to do so," Kirkpatrick said.

He said if the CEFP had been properly constituted and operated in the manner intended, the facilities plan would be very different than the one submitted to the state.

"Deficiencies in the underlying composition of committees render the entire work product suspect," Kirkpatrick said in his ruling. "To gloss over the flawed establishment of the underlying planning team and committees . . .is to deny these residents basic fairness."

Kirkpatrick's conclusions support those reached by Challenge West Virginia, a statewide school reform group. Challenge conducted surveys and research into the state facilities planning process and discovered a process that discouraged, rather than encouraged, citizen participation.

"Basically we found that the CEFP committees at best didn't listen to those who support small schools," said Challenge coordinator Linda Martin. "In the worst cases, people were denied access to information, bullied by architects and school planners and ignored when they did manage to state differing opinions.

"Judge Kirkpatrick's opinion is so significant because it confirms what ordinary people told us about the facilities planning process – it wasn't fair, it wasn't democratic and the facilities plans that were developed didn't belong to them."

Earlier this year Fayette County Circuit Judge John Hatcher stopped the closing of four schools after ruling that the county school board violated the state's open meeting laws by voting without public comment. He said the board committed "an egregious affront to the principles of democracy" when it held closure hearings for 12 schools on one day.

– Beth Spence, Co-Director of Challenge West Virginia, a statewide organization of parents, educators and other West Virginians committed to maintaining and improving small community schools. For more information, visit http://www.wvcovenanthouse.org/challengewv/about.html. ❖

West Virginia Plans for Mega-School on Hold

In Monongalia County, West Virginia, plans to build what would be the state's largest elementary school are on hold. Originally, the Monongalia County Board of Education planned to consolidate four schools in a new Westwood Elementary which would house 800 students. Now, close to seven months later, the Board finds itself with $5 million to build a $10 million school and facing growing pressure from a group of parents called the Westside Small Schools Initiative.

The parents and school personnel are asking the Board to consider alternatives and look for ways to build smaller schools for 300-400 students. Parents have repeatedly expressed concern over the size of the proposed school and the length of bus travel time for some students. If the new school goes through, some of the

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Check out the Vermont Act 60 update inside!

RC 023827

School Plans on Hold

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youngest students will be facing one-way bus rides of one hour and fifteen minutes.

Parents and school staff first learned of the proposed consolidation in January through an article in *The Dominion Post*. At a meeting following the announcement, the 25-member staff of Westover Elementary presented each Board Member and the Superintendent with a letter and a packet of information on small schools. They requested that the Board and Superintendent stop and reflect on the data and revise or change the current plan.

Virginia Aultman-Moore, a parent, is quoted in *The Dominion Post* (5/23/02) as saying, "This community has been consistent in supporting small schools. Before and after the last bond was defeated we sent parent surveys out. Ninety percent of parents both times said they want small schools. This is discouraging and frustrating. Why did the Board decide not to listen to us?"

Parents took up the fight by meeting in homes and forming the Westside Small Schools Initiative. The group passed out information as parents dropped off their students at school and invited them to attend a Local School Improvement Council meeting, where they passed out postcards for parents to write comments on for the Board of Education. They have also set up a website that includes links to information on small schools, contact information for writing to the State Board of Education and the Legislature, meeting dates, and background information.

The Dominion Post (6/14/02) quotes Monongalia County Schools Superintendent Dr. Michael Vetere as saying, "I wouldn't necessarily say we are back to square one. But we aren't going ahead with the (consolidation) plan right away." The Westside Small Schools Initiative hopes this means that that the school board is considering other options. In the mean time, they are continuing to gather support.

For more information on the Westside Small Schools Initiative and the proposed Monongalia County school consolidation, contact Virginia Aultman-Moore at 304.292.7046 or visit www.geocities.com/westovercommunity/.❖

A Chink in the Armor:

Update on Vermont's Act 60

The Vermont Legislature's recently completed session included a miscellaneous tax provision that takes a small, though significant, bite out of Act 60's equity promise.

When Act 60 was passed in 1997, the main components required all districts, whether property-wealthy or property-poor, to tax at the same rate to raise the same amount of money. Wealthy communities had to raise taxes to be comparable to all other Vermont towns. Since their actual tax revenues generated more than they needed, the extra money was put into an Education Fund to supplement low yields in poor districts, allowing them to begin to invest more in local schools.

There were loopholes in the original bill. First, to ease the tax pain of wealthy communities, the initial legislation included a 4-year phase in period. Second, towns could raise money privately and keep some expenses "off the books." This second loophole has been used extensively by wealthy communities that raise millions and avoid the so-called sharing provisions. Essentially they have been able to keep taxes down by appealing to out-of-town second homeowners with no stake in local schools.

This year, a third chink in the equity appeared. The Legislature approved a capital construction "special deal" that allows districts to fund building projects off the Act 60 formula. Thus funding these projects comes from their own property-wealth base and not through the equalized yield used for all the rest of education costs.

This provision will allow property-wealthy communities to do capital construction at a much lower rate than poor communities. The other result is that millions of dollars may be diverted from the Education Fund. At this time, the Fund is flush and is experiencing a significant surplus, so the diversion of money is not a problem...yet.

Adopting this "special deal", however, does establish a very dangerous precedent. It was passed to appease politicians representing these wealthy districts. The political pressure to radically change Act 60 was enormous, and though proposals for more fundamental revisions were unsuccessful, this does represent a perilous retreat from Act 60 equity.

In Vermont, where most communities are rural, political divisiveness is rarely rural versus suburban/urban, but rather wealthy versus poor towns. With changes to Act 60, those communities with higher numbers of second homeowners and fortuitous mountains (ski areas) can and will benefit. The poorest rural areas will once again be disadvantaged.

Though this chink in the equity armor is small, it threatens to expand and it underscores the necessity for advocates to remain ever vigilant in the quest for equity.

Time will tell. This provision is slated to "sunset" in 5 years. Past history, however, indicates that it often is a very prolonged sunset.❖

Organizing Position Available

The Arkansas Public Policy Panel is hiring a community organizer to work in East Arkansas – primarily around education, civil rights, economic and other core quality of life issues. The position will assume a major role in an effort to affect the local and state education systems, among other things. Complete job description can be found at www.ARPanel.org. For more info, contact Bill Kopsky at Arkansas Public Policy Panel, 1308 West Second, Little Rock, AR 72201, 501.376.7913, fax: 501.374.3935.❖

Iowa Suit

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The suit also contends that under the Iowa Constitution, students are entitled to an adequate education in safe surroundings. Plaintiffs in the case are seeking a declaration from the court that Iowa's Local Option Sales Tax be ruled unconstitutional under both the State and Federal Constitutions. The Plaintiffs are asking the Court to order the State to create a school funding system that equalizes funding among school districts and insures that schools have funding that is adequate to offer all students a high quality education consistent with the state constitution.❖

Alabama Supreme Court Backs Away from Enforcing School Finance Improvements

In the ongoing battle to improve funding for rural schools across the nation, tension is often created between the courts that have found school finance systems to be constitutionally lacking, and the state legislatures that have the ultimate power to fund education. The latest example of this tension comes from Alabama where the state Supreme Court recently ruled that Alabama's legislators and the Governor, not its judges, are responsible for determining the best way to fund public education.

In a 7-1 decision, the Alabama high court ruled that courts should not be involved in decisions about how to adequately and fairly fund all of the state's school systems. Those decisions are the province of the legislative and executive branches of government, the court ruled. But while declining to direct the state legislature and Governor to take action to remedy the state's school funding program, the Supreme Court left standing a lower court ruling that the Alabama funding system did not meet the requirements of the state constitution.

The decision comes as a setback to the 35 poor and largely rural school districts that filed the original lawsuit in an effort to have the courts intervene to increase funding from the state. Rural school leaders in Alabama said that the ruling would make it harder to ensure that that children in poor and largely rural districts would be put on equal financial footing with students in wealthy districts with healthy tax bases.

Within Alabama, the disparities in funding between school systems are startling. Students in prosperous areas of the state receive local funding equal to $5,175 per student per year. In contrast, students attending low wealth schools receive local funding equal to $300 per student per year.

The battle for equitable and adequate funding for schools in Alabama now shifts to the state legislature. The State Department of Education has proposed a bold education funding plan that would channel over $1.7 billion dollars into the state's public schools. The plan would be phased in over five years and would put much of the burden on local governments to raise the new money. It also would also create a pool of money available to poor school districts unable to raise sufficient funding on their own. With the court's ruling to stay out of the fray over funding, schools and students will, no doubt, face an uphill battle in selling this proposal to legislators.

The decision in Alabama underscores the need for rural advocates to always build political support for their cause even as they fight for reform in the courts. Courts can, and often do, play an important role in the battle for equitable and adequate funding for education. But in the end, the legislature and Governor are generally the parties that must be pushed and convinced to appropriate the money needed to implement school finance reforms. ❖

Iowa Suit Challenges Use of Local Option Sales Tax

Seeks Equitable and Adequate School Funding

Until now, Iowa was one of only a handful of states that has not seen schools and students take the State to court challenging the way that schools are funded. In April, however, a coalition of 160 school districts and individual plaintiffs brought suit in state court, alleging that the current finance system violates the Iowa constitution's education clause because it creates significant disparities in educational resources and does not provide sufficient resources for many districts to be able to offer an adequate education to their students. The suit is entitled: *Coalition for a Common Cents Solution v. State of Iowa*.

Iowa uses revenues collected from Local Option Sales Taxes to fund a substantial portion of the state's public education system. The suit contends that the funds raised by the Local Option Sales Tax and distributed to local schools is based purely upon the place of collection rather than the needs of students and schools and thus does not relate to the number of pupils in a school district, the cost of providing an education to those pupils or any other educational factor. As a result, the Local Option Sales Tax creates significant disparities in the quality of education Iowa children receive depending on where they happen to live. These disparities have resulted in aging and declining school facilities that in turn affect student attendance and teacher retention, prevent installation of new technology, and cause overcrowding and cancellation of numerous school days due to excessive heat.

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Study Finds Child Poverty Worst in Rural Areas

A new study released by Save the Children reports that one in six children living in the rural United States is living in poverty and suffers from poor education and lack of health care. Extreme pockets of rural poverty are located in six regions: the Rio Grande area along the US-Mexican border, central Appalachia, the Mississippi River Delta, the Southwest, the Central Valley of California, and the American Indian reservations in the Northern Plains states. In these areas, the rates for child poverty are two to three times the rate of the national average. Overall, there are 2.5 million rural children living in poverty in the U.S.

Included in the study are these findings:

- Child poverty is greater in rural areas than in urban areas. Of the 200 counties with persistent poverty, 195 are rural.
- Rural children are 50 percent more likely than their urban peers to lack health insurance.
- Over half of all rural children in poverty are minorities. 33 percent of rural Hispanic children, 37 percent of rural African American children, and 44 percent of rural American Indian children live below the poverty line.

To download a copy of "America's Forgotten Children: Child Poverty in Rural America," visit www.savethechildren.org. For more information, call 1.800.SAVETHECHILDREN.❖

"Small is not only better, it is the best."

— U.S. Senator Robert C. Byrd, commenting about small schools in his commencement address for three graduating seniors of Pickens School in rural West Virginia.

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action

August 2002

Strength in Numbers: A Rural Community Fights School Closure

When the Board of Education in Clay County, Alabama, voted to close Bibb Graves High School in May, a small K–12 school in the rural community of Millerville, local residents did not just get mad, they got together and took action. Committed to working together for the benefit of their children and their community, these residents proved that consolidation decisions can be reversed. With a July ruling from the U.S. Department of Justice, community residents won the right to maintain their school, at least through the 2002–2003 school year.

Tony Thornburg, a local white minister who was active in the community's efforts described why the community has been so adamant about keeping the school. "This school is the heart of our community; without it our community would just dry up, and our kids would not have nearly as good a chance educationally. Our community would not be able to provide the same level of support to a school so far away," he said.

Jerry Culp, Parent-Teacher-Student Organization (PTSO) President, echoed these sentiments. "Without the school, we'd probably lose at least two of our stores and probably our post office; it's all the activity at the school that keeps the stores in business. We'd also lose our community fellowship. Now, everyone has a reason to feel like a family because the school binds us together."

The strength of this bond particularly across lines of race and class is woven throughout the story of the community's efforts to protect their school and proved to be essential to their success. Henry Sterling, an African American minister who has been active for years in non-violent efforts to end discrimination and improve race relations in Alabama, described Bibb Graves School as a good environment for African American students and cited the relationship between African Americans and Caucasians in the community as central to his commitment to keeping the school open. "To close a school that is a good example of how black and white people can work together is just not right," he said.

With about 400 students in kindergarten through twelfth grade, Bibb Graves is the smallest school in the county. It also has a higher percentage (24–28%) of African American students than most other schools in the county. If consolidated, all of its students would be transferred to other schools, creating bus rides of an hour and a half and longer (each way) for many students. Fewer students and parents would be able to take part in school activities in the larger school and the long distances would pose additional barriers to participation and achievement.

People involved with Bibb Graves School decided not to accept the decision of the school board. They immediately formed a committee consisting of community residents (with and without children), students, and PTSO members, and they resolved to find a way to keep the school open. Students created and distributed flyers. Interest was so intense that crowds of 200–300 people frequently overflowed the capacity of the

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Five State-Level Rural Organizations Launch Rural Equity Collaborative

The Rural School and Community Trust, with five state-level rural organizations, has recently launched the Rural Equity Collaborative, a pioneer effort to strengthen grassroots-level involvement in public school funding policy.

The Rural Equity Collaborative will focus on equal educational opportunity as a school funding goal. The groups maintain that equal educational opportunity requires a school funding system that is both adequate and equitable for all schools. A funding system that supports every school equitably, but inadequately, denies opportunity. Conversely, a system that guarantees every school the same minimum funding, but allows wealthier communities to spend as much as they want, denies equality.

The five state partners in the Rural Equity Collaborative will conduct their own work and will also work collaboratively the Rural Trust on specific state-school funding problems. Some of the broader goals they hope to accomplish:

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Let us know what's happening in your schools and communities at info@ruraledu.org

RC 023827

Strength in Numbers

from page 1

local church, where they held regular community planning meetings. The community established the Millerville Legal Fund and obtained legal counsel. They held yard sales and *ad hoc* fundraisers to help cover their expenses, and donations poured in.

Student Kristi Stewart, a rising junior, observed, "There's that whole teenage factor of thinking you just want to get out of school, but when we heard that we wouldn't have our school anymore, we realized what we had. The students who had tried to act like they didn't care about school were crying the hardest. The students and the whole community pulled together to try to keep our school. We have worked really hard."

Concern for the students' academic future motivated many supporters of Bibb Graves School who felt that long bus rides and fewer opportunities to participate in school activities would discourage some students from completing high school. They also hated to see the close relationships and personal attentiveness to students at Bibb Graves replaced by more impersonal circumstances of a larger school.

Students praise the willingness of teachers to make time to work with them and expand their opportunities. Lisa Rowell, a rising senior who has already been accepted to an out-of-state college, said "We all know each other here, teachers and students are close. If we want to start something new, we can, we just have to talk with the teachers about it. And if we want to study something or take a class that's not on the schedule, we can just tell the teachers and they will work with us." Lisa, who is white, regularly attended and reported on school board and community meetings, in addition to participating in several other extracurricular activities. "I want to graduate here," she said. "But I don't just want it for myself. I want it for all the children here, and for the whole community. It would really hurt our community and our economy if we lost our school. I'm proud of our community and how we have pulled together."

Another senior, Sheena Simmons, agrees. "Teachers take time with the students. They'll work with you if you have a special interest. And, they try not to leave any one behind in class. If you need extra help they'll even tutor you after school." As an African American, Sheena feels a special connection to Bibb Graves. "If you want to participate in something here you can, it doesn't really matter who you are, we work together," she said.

Faculty underscored this commitment to students. "The students here are great, and teachers are willing to go the extra mile for them; they see to it students get what they need. We have students who go to selective colleges. And, we work to see that students are treated fairly and given equal opportunities. When you start working here that attitude rubs off on you. It's what we expect of each other," one teacher observed. Another teacher remarked, "I never once didn't want to get up and go to work at Bibb Graves. It was more like a family than a place just to go to work. This kind of academic attention and opportunity has not been confined within the walls of the school. Bibb Graves had instituted several place-based education initiatives, which have enhanced the entire community and provided students with opportunities to develop and utilize real-world skills. Initiatives like *The Community Connection*, a community newspaper staffed by students, present students with intellectually demanding work that makes a real difference in the lives of other people. One teacher explained, "We want students to learn that education applies to life beyond the school in a big way. It's not just a commodity to better themselves. We want them to know they come from a real community and a place of strength and empowerment, that fighting for what is right and doing good work is important. We want to give them the opportunity to learn they can make a meaningful difference in their own community and in the world."

"We want [students] to know they come from a real community and a place of strength and empowerment... We want to give them the opportunity to learn they can make a meaningful difference in their own community and in the world."

Like many racially integrated school systems, Clay County was required to notify and obtain approval from the U.S. Department of Justice when closing a school where racial balance would be impacted. In the case of Clay County, the system operates under the consent decree reached in *Lee v. Macon* (*Anthony T. Lee v. Macon County, Alabama, Board of Education*), the 1960s desegregation case that resulted in the racial integration of schools across much of the South. The Department of Justice is required to review these cases and their impact. In addition to paperwork submitted by the school system, lawyers for Bibb Graves asked the Department of Justice to review the effect of closing their racially integrated school.

In school systems governed by *Lee v. Macon*, the law firm of Gray, Langford, Sapp, McGowan, Gray, and Nathanson, which prosecuted the original case, also reviews school closures for racial impact. Stanley Gray, an attorney with the firm reviewed county documents and attended two community meetings. "We look at these matters solely from the perspective of desegregation and specifically to represent the interests of minority students, parents and teachers. I attended two meetings and saw everybody sitting together, not African American in one place and white in another. I got a sense that they were really united and had a genuine concern for their school and their students."

Lawyers from the U.S. Department of Justice also reviewed county records, met with faculty, students, and community residents and concluded that Bibb Graves could not be singled out for closure. In letter dated July 18, 2002, the Department stated that neither legitimate nor persuasive reason had been provided to close a desegregated school in lieu of a racially identifiable school. According to Gray, "The Justice Department was not telling Clay County to close a school or not to close a school; the ruling is that the county cannot close only Bibb Graves, it cannot single out a racially integrated school for closure." The ruling means that Bibb Graves will remain open at least through the 2002–2003 school year.

Community residents express relief and optimism and a deep commitment

continued on next page

IN THE COURTS

North Carolina Court Update

In the latest development in the long-running Leandro school finance case in North Carolina, Judge Howard Manning rejected the plan that state officials offered in response to Manning's ruling that at-risk children in North Carolina were not receiving a sound basic education. State officials gathered a group of documents, lifted mainly from the work of the governor's education task force, that were supposed to show the judge how the state intended to meet the court's demands.

Commenting on the documents submitted by the state, Manning said, "The task force is merely advisory. In stark contrast, however, the court's orders in this case are not advisory. It appears clear to the court that the state, including the lawyers in the Attorney General's office, has failed to appreciate this distinction and elected to do little if anything, in order to comply."

He also asserted that, since the state has argued in the past that money is not the issue, North Carolina current budget crisis is no excuse for not proceeding. Manning said within 10 days, he wanted to hear exactly what the state was doing to assist Hoke County schools and other plaintiff parties. The lawsuit was brought by a group of low-wealth rural school districts more than 10 years ago.

When Manning first ruled in Leandro, state officials said they would abide by his decision, but at the same time, they have submitted a very broad appeal to the North Carolina State Supreme Court.❖

Strength in Numbers

from page 2

to work to maintain all of the county's small high schools. Resident Jerry Culp announced, "It's not often you get a second chance and we want to make the most of it. We know the best thing for Clay County and all its children is to maintain all four public high schools. We're committed to that." He added, "It's plain now that the reasons given for closing Bibb Graves School, academics and money, just don't hold water." Indeed, research has shown that in terms of costs per graduate, small schools are more cost-effective.

A teacher noted, "There's a lesson here not to underestimate small schools and the opportunities they provide students. There are so many advantages."

The community celebrated the good news with a work day and residents of all ages spent hours cleaning, painting, mowing, and doing landscape work at the school. But residents' work is far from complete. They are now discussing plans to start a tutoring program and to initiate community projects in each class. Bibb Graves will also be one of several hundred schools around the country to participate in the Youth Civic Engagement Project sponsored by the Pew Memorial Trust initiative Project 540: Students Turn For A Change. In the words of Reverend Sterling, "This is a good school and community, but it's not as good as it's going to be."❖

REC Launch

from page 1

- Define rural school finance issues nationally from a rural perspective
- Develop skills, practices, and tools supporting rural organizing on school finance issues.
- Demonstrate the use of these skills, practices, and tools in a diverse group of leading rural states.
- Communicate effectively with urban education activists
- Build a national rural constituency for school finance reform

The Collaborative member groups will address a wide variety of issues, but the most prominent include:

- *Competitive Adequacy:*

Many of the most important educational resources needed for all to meet high academic standards (especially good teachers and administrators) are in limited supply and schools compete with each other for these resources. State funding policy should assure that local variations in wealth do not deprive the poorest communities of the funds necessary for them to compete in the market for these resources.

- *Equity in Place—"Educate Them Where You Find Them":*

Kids go to school in real places, and "equity" can only occur in a place where they feel safe, wanted, needed, and expected to do well. Funding systems that deprive kids of friendly schools close to home are both inadequate and inequitable.

- *Fiscal Efficiency and Accountability:*

State policy should assure that the resources available for equal educational opportunity are used competently. No amount of funding for a school is adequate if the funds are not used in the most cost-effective way. Fiscal inefficiency produces educational inequity. Rural citizens need the skills necessary to understand school budgeting and accounting; to analyze how much spending should be adequate to meet academic standards when competently managed; and to identify policy choices that encourage best fiscal management practices.

Over the next several years, the Rural Equity Collaborative hopes to grow and add new state partners. The inaugural five state partners are from prototypical rural regions are Appalachia, the Delta, the Great Plains, northern New England, and the Southeast, and consist of the following groups:

- Challenge West Virginia
- Nebraska Coalition for Educational Equity and Adequacy
- North Carolina Justice and Community Development Center
- Southern Echo (Mississippi)
- Vermont Children's Forum

Initial major support for the Rural Equity Collaborative comes from the Ford Foundation.❖

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Arkansas House Speaker Pans Consolidation Plan by Blue Ribbon Commission

A leading Arkansas legislator says he does not believe the consolidation of small schools into regional high schools will save Arkansas taxpayers money and he won't support a proposal to do so by the Arkansas Blue Ribbon Commission on Public Education.

According to the *Arkansas Democrat Gazette* (July 24, 2002), Representative Herschel Cleveland of Paris, Arkansas, the incoming speaker of the Arkansas House of Representatives, says consolidation won't likely save money because of the initial investment in new schools and the fact that administrative positions are usually not eliminated by consolidation, just moved from one place to another.

Cleveland, who graduated from a class of 20 at Magazine High School in Arkansas, told the Arkansas Farm Bureau that money is not the main issue in consolidation anyway. He said small schools do a better job of educating troubled kids because "you see those folks who are about to fall through the cracks, and you can lift them up and help them."

The regional high school plan is only one of many Blue Ribbon Commission recommendations that will be considered by the legislature next year. A court decision declaring the state's school funding system unconstitutionally inequitable and inadequate has created intense interest in public education in Arkansas. One of the schools most likely to be consolidated is Lakeview, the tiny rural school in the state's poor Delta region that filed the lawsuit 10 years ago. ❖

"If Lakeview is consolidated, there will be fewer starters on football teams, fewer presidents of student councils, fewer valedictorians...All consolidation will do is create big conglomerates that are more difficult to manage [and] do not generate the kind of community support that you will see in small towns."

– Judge Andrew Bagley commenting on the rural school district that was the lead plaintiff in the Arkansas school finance lawsuit that is now facing consolidation.

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action September 2002

Small Schools Work *and* They're Cost Effective, New Report Finds

Research on the relationships of school size, poverty, and student achievement has shown that small schools are better for kids – particularly kids from poorer communities. Now, a new report goes head-to-head with conventional wisdom about economies of scale, proving that smaller schools can be cost-effective, as well. *Dollars and Sense: The Cost Effectiveness of Small Schools*, to be released this month, is a collaborative effort of the KnowledgeWorks Foundation, the Rural School and Community Trust, and Concordia, Inc. It brings together the work of nine authors with expertise on school facilities to challenge the common belief that big schools are cheaper to build and maintain than are small ones. Their conclusion: investing tax dollars in small schools makes good economic sense.

Dollars and Sense points to a number of alarming trends in school size: the rampant rural school consolidation policies of the past few decades, state policies that favor construction of huge schools over smaller ones and that discourage maintenance or renovation of older schools, and the alarming growth in the size of the average school from 127 students in 1940, to 653 today.

Diseconomies of Scale

The authors cite research on the host of educational and social benefits of small schools – benefits that include higher academic achievement, lower dropout rates, less violence and vandalism, greater teacher satisfaction, and more community involvement. Similarly, they point to research on the negative effects of large schools on students, teachers, and members of the community, as well as the "diseconomies of scale" inherent in large schools.

These diseconomies are rarely discussed when a new school facility is proposed, but are extremely important in figuring the true cost of building and maintaining a school. For example, large schools may appear on the surface to have a lower per-*student* cost. However, when the much-higher dropout rates of larger schools are factored into a cost per *graduate*, small schools suddenly become more cost effective. The long term costs to society of school dropouts – their lower earning power, higher arrest and jail rates, higher incidence of child abuse and neglect, and poorer overall health – also argue powerfully in favor of using the cost per graduate to measure the true cost of a school.

Larger schools also require costly added tiers of administration, more security personnel, and additional maintenance and operations personnel – expenditures that significantly increase the per-student cost of a school, and that grow as a school becomes larger. Another major diseconomy in large consolidated schools is transportation – fuel, buses, bus drivers, and maintenance. Yet, say the report's authors, the billions of dollars it costs to transport students every year are rarely factored into cost comparisons between smaller and larger schools. Finally, they point out, the economic costs when a community loses a school can be significant.

Reasonably Sized Schools

One of the most important findings in *Dollars and Sense* is that small schools are also quite competitive with big schools in construction costs. The authors analyzed a database of 489 school designs submitted to architectural design competitions between 1990 and 2001. These schools varied greatly in size, accommodating between 24 and

continued on page 2

Getting It Done...

From Duck Hill (MS)...

Citizens in Duck Hill, Mississippi have won a battle to keep Duck Hill Elementary School open next year. This victory is the result of long-term community organizing in Montgomery County by Action, Communication and Education Reform, Inc. (ACAER), a group of concerned citizens whose children attend Montgomery County schools in the Mississippi Delta. For the past several years, citizens in this farming community have been taking responsibility for improving the education of their children and for holding the school board and school personnel accountable for acting in the best interests of their children.

One of ACAER's first victories was to elect Al White to the Montgomery County school board in 1998. African Americans gained a majority on the school board for the first time in May 2001. Mr. White is now chair of the board and has sought to make the school board more accessible to the community by rotating the board meetings among the three schools in the county and by opening up the bud-

continued on page 3

RC023827

Arkansas School Boycott Prompts Lawsuit, Rural Organizing

When schools opened this year in the Lee County district centered in Marianna, Arkansas, only 181 kids reported. That was a little short of the approximately 1,700-student enrollment.

The boycott, organized by the local Ministers Alliance in response to parents and school personnel in this majority African American district, was sparked both by the upcoming school board elections and by school management issues.

The primary cause of the boycott was community dissatisfaction with a school board decision not to open all seven board seats to election after redrawing boundaries of board zones. At issue is an Arkansas law that requires districts with at least 10 percent minority population to establish equally populated election zones to be represented by a single board member. The law requires that when zones are redrawn, all seats must be opened for election. A lawsuit filed by four boycott leaders on the second day of school alleges that the district redrew the boundaries, but only opened two of seven seats for re-election. African American candidates had filed for all five of the seats currently held by white board members. The lawsuit claims they are being denied the chance to run.

The district claims they have made only minor changes in the boundaries of districts created in 1994 in compliance with the law, and that the changes actually support the African American community by assuring that two incumbent black board members will not be in the same district, which would force them to run against each other.

Other boycott issues surrounded sanitation and the deplorable condition of restrooms. Photographs sent to the state department of education and to the local and state departments of health prompted official inspections and a ruling that the facilities were unsatisfactory and had to be in compliance with health standards within a week.

Another community demand was to secure certified teachers in English and math. Teachers are being shifted to meet that demand.

The school has a long history of troubles, with boycotts, a teacher strike, and poor academic performance that threatens to prompt a state takeover. However, test scores increased substantially last year, and the district claims it is making progress.

The boycott was called off after a week because of the concessions gained. But, the election remains the principal point of continuing contention. One judge issued a temporary injunction requiring that all seats be open for election and that the five black candidates be placed on the ballot, but another judge overruled the injunction, concluding that the boundary changes did not require an election in all seven zones. The decision may be appealed. The election is scheduled for September 17, 2002 and both white incumbents face a black challenger.

In the meantime, the community is setting up a task force to monitor the school system. ❖

Picture It!

A picture is worth a thousand words. So, students and others in two rural Ohio school districts are using photographs to define their school facilities needs.

The Camera Project is an action research tool being used in the Warren Local and Federal Hocking districts to encourage citizens to think about the conditions, location, size and design of their school facilities.

Local organizers Amy Lipka and Jerry Hartley worked with 11 teachers and 250 students in both school districts. Students from a variety of grade levels participated in the project. Teachers volunteered to incorporate the Camera Project into their curriculum from January to June 2002. The organizers brainstormed with students and teachers about the strengths and weaknesses of their schools and then decided how to photograph their ideas. Photographs documented outdoor learning spaces such as nature trails and ponds and diversity of class subjects, which included a local oral history program, sign language and a photo lab. Photographs also documented trash blowing from fans used for cooling and a lack of locker space. Students wrote about their photos and discussed why they chose to photograph what they did.

Throughout the summer, organizers attended community meetings and local festivals, presenting the photos and writings to local residents. The public showing of photographs proved to be a powerful way to encourage citizens to voice their concerns about their local schools and then begin to define ways to deal with them.

The Camera Project is sponsored by School and Community Connection, a project of Rural Action, a non-profit organization that creates model strategies involving a broad base of citizens in building environmental, economic, and social sustainability in Appalachian Ohio. ❖

Small Schools Work

from page 1

4,000 students. First, the researchers grouped the elementary, middle, and high schools and then divided each group at the median size for that group. They then compared the average cost of the smaller half with that of the larger half of each group. In this comparison, the smaller schools were about 20 percent more expensive than the larger ones, both in terms of cost per student and cost per square foot.

Even that surprisingly small difference disappeared, however, when the authors evaluated only the 145 schools that were not larger than what most education professionals consider "reasonably sized" — 1,000 students for high schools, 750 for middle schools, and 500 for elementary schools. The smaller half of these reasonably sized schools were significantly *less* expensive to build, costing $105 per square foot (compared to $120 for the larger schools) and $16,283 per student (compared to $17,618 for the larger schools).

Single copies of *Dollars and Sense* are available free of charge by writing the Rural School and Community Trust, 1825 K St., NW, Suite 703, Washington, DC 20006, or sending e-mail to info@ruraledu.org. ❖

GLEANINGS

Overheard in North Carolina...

The *Raleigh News and Observer* reports that Steve Trayton, a North Carolina Department of Public Instruction consulting architect whose blessing is required before a local school district can build a school, says most high schools in NC are being built for more than 1,000 students because they are "more economical" and "can offer a more diverse curriculum." But, he added, "Now that we've consolidated so many small schools, we're recognizing some of the things we gave up from small schools." No comment.

Overstepping in Ohio...

Developments in Ohio highlight concerns some people have about centralized school building finance systems that have emerged in response to school finance lawsuits. Randall Fischer, executive director of the Ohio School Facilities Commission, recently resigned because he had accepted perquisites such as golf outings from contractors to whom he awarded $23 million in unbid contracts. Ohio expects to double the number of schools being built and renovated with Commission funding. About half the construction will be renovations.

Over-busing in West Virginia...

The *Charleston Gazette* has launched a series called "Closing Costs" focusing on the cost that school consolidation in West Virginia has imposed on rural school children. Reporters Eric Eyre and Scott Finn are the authors of the series; the first installment appeared in the August 25, 2002 issue and was filled with revealing data, stunning anecdotes, powerful quotes, and great references to research on health effects of riding buses. Fighting school consolidation and long bus rides in your neck of the woods? This is a must-have series. The articles are online at http://www.wvgazette.com/news/Closing. ❖

Getting It Done...

from page 1

get to greater community input and scrutiny. The school board has also hired its first African American female attorney.

The community hoped a new county school superintendent—elected after a successful lawsuit to keep Winona City school district voters from voting in the Montgomery County school superintendent election (they have their own superintendent)—would be more supportive of the county's small rural schools like K-6 Duck Hill, with 100 students.

Unfortunately, ACAER is disappointed in the newly elected superintendent. One year into her tenure, she surprised the board by recommending to close Duck Hill Elementary School. The superintendent claimed the district could not afford to keep Duck Hill open and that closing the school and sending students to Kilmichael Elementary would save about $900,000. The board tabled the recommendation to buy time to alert the community and gather information.

Community members quickly let the board know they were distressed about the proposed closing. Not only would Duck Hill lose its community school, but also some students would have to endure bus rides over 50 miles each way to Kilmichael. With the support of the community, the board continued to keep the closure of Duck Hill off the agenda for several more months, during which time the state Department of Public Instruction was asked in to evaluate the financial stability of the school system.

The department's report estimated the savings from closing Duck Hill at about $150,000. The department offered to help the board find ways to save money and keep the school open. The town of Duck Hill waived sewage fees to help cut costs and keep the school. In April 2002, the superintendent announced that she would withdraw her recommendation to close the school.

Al White, the school board chair, said: "We are making progress. Having our meetings at each school has increased community participation. Even though we feel we have a lot to learn about school finances, we did the right thing to keep Duck Hill open. The community needs a school and small children shouldn't have to be on buses for long periods of time. And guess what? One hundred percent of Duck Hill's second graders are at proficiency in reading and one hundred percent of our fifth graders are at proficiency in math!"

To learn more about the work of Action, Communication and Education Reform, call 662.565.7004, or email actionccmc@dixie-net.com.

To Dryden (NY)...

In January 2001, a facilities committee of the Dryden (New York) Central School District recommended to the board of education that the district's K-5 program be consolidated into one school of over 1,000 students. This meant closing two elementary schools in outlying villages, each with K-2 enrollments of about 110. The Dryden district covers more than 100 square miles in upstate New York and small village schools have served the students of this rural area since the 1930s.

A grassroots group called the Community-Based Schools (CBS)Committee quickly formed and launched an intense 18-month organizing and public education campaign. They focused on the benefits of small schools and the value of schools to communities. CBS organized petition drives, mailings, leaflet distribution, letters to the local papers, public forums, and a phone campaign to elect three new CBS-supported candidates to the school board this May. A month later, in a record voter turnout, a referendum on consolidation was soundly defeated by a margin of three to two.

Throughout the process, it became clear that the current board of education was committed to consolidation and nothing short of replacing board members was going to affect the outcome. Almost a quarter of the voters in the board election were first-time voters who were convinced by the CBS committee that their votes could make a difference. (Source: Rachel J. Dickinson, who organized the Community Based Schools committee and served as chair for over two years. She was elected to the school board this year in an election that established an anti-consolidation majority on the Board.) ❖

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RESOURCES FOR THE CAUSE

The Achievement Gap 2002: An Update details many how many African American and Hispanic students in North Carolina continue to lag behind their white peers in academic performance. The report also chronicles the high and disproportionate discipline rates and dropout rates of these same students as well as their underrepresentation in advanced courses and overrepresentation in special education. The report offers some recommendations for improving the outcomes for these students and explores the implications of the long-running *Leandro* lawsuit, brought by rural school districts that argued that the funding available to them was insufficient to provide their students with a sound basic education. The report is available from the North Carolina Justice and Community Development Center in PDF file at http://www.ncjustice.org/edlaw/AchGap2002.pdf. Call Jenny Jensen at 919.856.2164 or send an e-mail to jenny@ncjustice.org to obtain a hard copy. $10.00 or larger donations. Volume discounts negotiated.

Tools for Success: What is an Adequate Education? has just been released by Citizens for the Educational Advancement of Alaska's Children (CEAAC). The report is based on conversations with Native Alaskans held in rural communities and at conferences over the past year. Three themes dominated the conversations: (1) an adequate education gives young people the tools to succeed in whatever life they choose; (2) an adequate education is owned by the local community and reflects the diverse cultures of the whole state of Alaska, and (3) an adequate education finds a balance between small locally-based schools and regional economies of scale. CEAAC and rural Native Alaskans will be using *Tools for Success* as they work to improve the resources available to rural school children. One free copy is available by contacting Spike Jorgensen at spike@pobox.com.❖

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Rural Policy Matters

THE RURAL SCHOOL AND COMMUNITY TRUST

A Newsletter of Rural School & Community Action

October 2002

No Child Left Behind Act Increases Federal Role in Education, Puts Pressure on Rural Schools

The newly authorized federal Elementary and Secondary Education Act ESEA 2001 (No Child Left Behind) represents the largest increase in education spending by the U.S. government in history and a corresponding expanded federal oversight role in state education programs. The law has major implications for rural schools, and rural school advocates should be particularly aware of the details, the impact they are likely to have on state policy, and their costs. Key aspects of the new legislation include:

- States are required to have a system of annual testing in reading and math for grades 3–8 for the 2005–2006 school year with a "starting point" or baseline based on 2001–2002 data. All children must be tested, including all poor children, all minority children, children with limited English proficiency and children in special education.
- Each year, states must meet "adequate yearly progress" goals (established by the state) and have all students performing at "proficient" levels (also defined by the states) by the 2013–2014 school year.
- Data must be collected and "disaggregated" by economic status, ethnicity, disability, and the students' English language proficiency. The purpose is to reveal and eliminate any "achievement gaps" between these subgroups. But when the number of students in any subgroup is small, the value of this data can be statistically meaningless, especially when comparing performance from year to year.
- Beginning this year, states are required to publish annual report cards on the performance of school districts. Likewise, districts are required to submit similar reports to the public with school-level data. For rural schools, this could mean publishing results for very small classes in very small communities. When newspaper readers find out, for example, that five out of 18 fourth graders scored below proficiency in reading, there will likely be open speculation about who the five kids are. Putting pressure on adults to perform better as teachers and school administrators is one thing—publicly humiliating children is another.
- Beginning this year, all new teachers hired with federal funds provided under Title I of the act must be "highly qualified." Even paraprofessionals hired with Title I money will soon face stricter requirements, which include two years of college, a minimum of an associates degree or some other "established quality standard." If state certification standards used to define "highly qualified" are too narrow, the level of curriculum specialization will be too great for many small schools to achieve.
- Federal funds in the amount of $900 million are available to help states and districts set up "scientifically based" reading programs for grades K–3. An additional smaller reading program is available for programs to help 3–5 year-olds in poor or disadvantaged areas.
- The bill includes a change in Title I funding geared to provide more re-

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Montana School Finance Lawsuit Filed

Several Montana school districts, parents, and the Montana teacher's organization filed suit in state court in early September claiming that the state school finance system is unconstitutional because it does not provide schools and students with adequate funding. The plaintiffs argue that the state's school funding system does not allow schools enough money to meet state standards, which violates the Montana constitutional requirement that the state provide a "basic system of free quality public elementary and secondary schools." In addition, the suit alleges that the funding system is not based on the actual cost of providing a quality education and fails to ensure that all schools are equally equipped to give students a solid education. According to the lawsuit, without additional state funding, schools will be forced to layoff teachers, drop a number of classes and extracurricular programs and let school facilities go without maintenance.

The Montana Quality Education Coalition, an organization of 51 school districts representing more than half of the state's public school children,

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Help us track states misusing test scores to sanction small schools. See story, page. 4

RC 023827

No Child Left Behind

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sources specifically targeted to districts with high concentrations of poor children. In addition, both states and school districts in general have much greater control over federal funds.

- The law also provides for two "flexibility demonstration projects": one for states and the other for districts. Up to seven states and 150 school districts will be selected to consolidate all state-administration and state-activity funding under ESEA programs, including Title I.
- Penalties for school failure get increasingly stiffer each year. Beginning this school year, schools that are reported as "failing" must offer students the option of transferring to better performing public schools; after three years, a failing school district must cover the costs of providing tutoring for children; and after four years, the school transportation for children who choose to transfer. For many sparsely populated and isolated rural districts, this will not be practical, logistically or fiscally.

Meeting each of these requirements may prove especially problematic for rural school communities, particularly in regard to teacher recruitment, costs of transporting children across even larger distances, and finding supplemental education resources, including tutors and other specialists.

Among the likely effects of the act is increased competition for "highly qualified" teachers certified in the subject area they teach, aggravating the competitive disadvantage many resource-poor rural (and urban) schools face in the market for teachers. Teaching at least some subjects "out of field" is common in small schools with limited faculty, and the new law will likely aggravate this problem. States will be required to develop a plan to assure that poor children have the same high quality teachers as other students, but it remains to be seen whether this part of the law will be aggressively enforced by the U.S. Department of Education.

Furthermore, small rural schools often lack adequate technology for programmatic instruction and staff professional development. The new annual science assessments due in place by 2007–2008 will likely present formidable achievement gaps unless new resources are in place in every rural school. Faced with the financial burden of providing costly new infrastructure and resources, rural districts will be under tremendous pressure to build larger, consolidated regional schools, thereby incurring increased transportation costs, increasing class size and sacrificing the close interaction they now enjoy between faculty, students and parents.

Though the Act is accompanied by a large increase in federal funding for education, the proportion of federal spending on schools remains very small compared to state and local contributions. Increased federal dollars for education and targeting special funds towards rural and poor schools are certainly steps in the right direction, but in the end, states and local communities are still going to have to pick up the biggest part of the tab for the new federal mandate. And they'll have to find the funds in very short order.

Among the many obligations imposed on states by the No Child Left Behind Act, there is not, unfortunately, a requirement that state and local funding systems be either equitable nor adequate to meet the act's ambitious educational goals. However, the new law might provide rural parents and school advocates with a new legal weapon to brandish in the legislatures and the courts to demand equal educational opportunity from state and local governments. The devil will certainly be in the details. ❖

ESEA and State Budgets

With states facing severe budget cuts and shortages, some districts are desperately struggling to meet and maintain new standards with rapidly shrinking budgets, especially mandates aimed at increasing testing and reducing class size. Recent estimates by the National Governors Association indicate that 44 states currently face revenue "shortfalls." The National Association of State Legislatures reports that 12 states have 2002 budget gaps in excess of 10 percent. Things look more ominous for FY 2003, with 11 states voting to cut K–12 education spending rather than increase it. Federal tax changes may further decrease state revenues which will only deepen the extent of tax increases and/or budget cuts that states will have to make.

ESEA, Teacher Shortages, and Class Size

Despite ESEA's tougher teacher quality requirements, there are as yet no federal regulations or guidelines on how to apply them. Faced with severe state budget shortfalls and dire teacher shortages, some are worried that in desperate efforts to staff classrooms, some states may change their licensing requirements. Officials in California, which has 45,000 teachers on emergency permits, warn that some states are going to be under serious pressure to change the definition of "highly qualified." Declining revenues for elementary and secondary education have repeatedly been linked to fewer fully qualified teachers and larger class sizes.

Parent Involvement and ESEA

The No Child Left Behind Act defines and mandates parent involvement. Based on the National PTA's definition, parent involvement means "the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents play an integral role in assisting their child's learning, that parents are encouraged to be actively involved in their children's education at schools, and that parents are full partners in their children's education included, as appropriate, in the decision-making and on advisory committees." The new definition and mandate may provide rural communities another important argument for lobbying against school consolidation. Studies have found that parent involvement is higher in small schools, and higher in rural areas than in urban areas.

Montana School Finance Lawsuit

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is funding the law suit. The coalition, which has raised about $200,000 in dues this year, previously joined four other statewide education organizations to fund a professional study of the state's public school funding system. The results of that study show Montana schools are $170 million short of what they need to meet state and national standards.

Some Montana education groups are not supporting the lawsuit. The Montana School Boards Association and the Montana Rural Education Association—both plaintiffs in previous funding lawsuits—have decided not to enter the case, opting instead to focus on legislative solutions during the 2003 legislative session. ❖

In West Virginia, the Beat Goes on

Promises to Keep and Miles to Go Before West Virginia Officials Sleep

The *Charleston Gazette* has published the latest in its series on "Closing Costs" about the harm that the state's school consolidation policies have done to kids—and it will make rural advocates everywhere cheer. The latest installment is about "broken promises," describing how the benefits officials said would result from consolidation, including a richer curriculum and lower costs, simply have not materialized.

Just two of many revelations:

- In the past decade, 300 West Virginia schools have been closed and statewide enrollment has declined by 41,000, but the number of administrators has actually increased. The number of central office administrators has increased 16 percent.
- Many schools offer less, not more curriculum. In ten counties surveyed, officials promised consolidation would result in more than 100 advanced placement courses that were not offered in the past two years, and the article cites cases where foreign language offerings shrank dramatically after consolidation. In Pendleton County, where local officials promised zoology, calculus, Japanese and 22 other advanced placement classes would follow consolidation, only drama has been added.

This series is full of facts and insights that will help rural people everywhere rebut the overblown promises made to promote consolidation of schools. It has West Virginia education officials struggling to explain their policies. You can get it online at the following address: http://www.wvgazette.com/news/Closing.

Bus Rides Busted

The *Charleston Gazette* reports that West Virginia education officials have instructed local school boards to report whether school bus rides exceed the state's guidelines: no more than 30 minutes one-way for elementary school children, 45 minutes for middle school students and an hour for high school students. State officials are also going to review bus routes to see if the longer ones could be shortened.

More importantly, the state education department will begin examining proposals to close schools to see to it that consolidation doesn't force long bus rides on large numbers of children. According to a special report in the *Gazette*, thousands of West Virginia children spend over two hours a day on school buses, with more than half the state's bus routes exceeding the state guidelines.

Meantime, the state's church leaders have announced plans to take up the school busing issue, and most observers expect a major push in the next legislative session to impose strict standards on the length of bus rides.

Court to School Board: Open Up Meetings

The West Virginia Supreme Court voted 5-to-0 not to hear an appeal from the Raleigh County Board of Education. The Board had appealed a decision from the Raleigh County Circuit Court that found the Board guilty of violating the open government meetings law and not following proper procedure in the development of a ten-year comprehensive facilities plan. As a result, the Marsh Fork High School, threatened with closure, will stay open, for now. ❖

IN THE COURTS

Federal Courts May Be Open to School Finance Challenges

A federal circuit court ruling in a Kansas case may have altered prospects for challenging state funding systems in federal courts. Since an early 1970s U.S. Supreme Court ruling that people do not have a right to education under the U.S. Constitution, it has been understood that state education funding systems could not be challenged in the federal courts. As a result, over the past 30 years, rural and urban advocates of school finance reform have taken most of their legal claims to state courts.

But this summer, the federal appeals court for the 10th Circuit ruled in the case of *Robinson v. Kansas* that a group of Kansas parents and students could challenge portions of the Kansas school finance system in federal court if they could show that the state's system violated federal civil rights laws or laws enacted to protected disabled students. In the case, the parents and students claim that the state must comply with federal civil rights laws because it receives federal funding for education.

If this decision withstands a likely appeal to the U.S. Supreme Court, some rural schools, parents and students who are seeking fair and adequate funding for their schools may be able to take their case directly to federal courts. ❖

Rural School Funding Program in Jeopardy

The Bush administration's 2003 budget proposes to eliminate funding for the Rural Education Achievement Program (REAP), which was funded for FY 2002 at the level of $162.5 million. Advocates for REAP say that even $162.5 million is only about half the original congressional authorization of $300 million. The administration argues that schools will make up for the lost REAP money with large increases in other programs. Not so, says the American Association of School Administrators. AASA says that the grant formulas for the make-up money the administration is referring to are based on population, so most of these dollars won't go to rural schools.

For more information on this issue see Thomas D. Rowley's article "No (Rural) Child Left Behind" at www.rupri.org/articles/left.html. For more information on REAP, go to http://www.ed.gov/offices/OESE/reap.html. ❖

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Internet Access Update

The following are some facts from *Internet Access in U.S. Public Schools and Classrooms: 1994–2001*, a report by the National Center for Education Statistics:

- In fall 2001, 99 percent of public schools and 87 percent of classrooms in the United States had access to the Internet compared to 35 percent of schools and 3 percent of classrooms in 1994.
- In schools with at least 75 percent of students eligible for free and reduced priced lunches, 79 percent of classrooms had Internet access, compared to 90 percent of classrooms in schools with less than 35 percent of students eligible.
- In 1996, dial-up Internet connections were used by 74 percent of public schools having Internet access, but by 2001, 55 percent of connected schools had T1/DS1 lines, a continuous and much faster type of Internet connection, and only 5 percent of schools still used dial-up connections.

In 2001, only 72 percent of schools with under 300 students were using broadband Internet connections compared to 96 percent of schools with over 100 students. Eighty-two percent of rural schools had broadband, compared to 88 percent of urban and suburban schools. ❖

Test Scores Land Small Schools on Priority List

State accountability systems put pressures on schools to "perform" — that is, to raise student test scores — or be subject to various sanctions. But testing experts say that when the number of students is very small, using test scores to evaluate the whole school is statistically irresponsible.

Many states and the federal government pledge that they will not let this happen, but the state of Vermont recently released proud news that 19 of 28 Title I schools listed as needing improvement have met criteria to get off that list. Five more may soon get off the list as new test data comes in. Only four are sure to remain on the "priority schools" list.

One is Belvidere Central, a PK-6 school with 32 students (fewer than 5 per grade) in one of Vermont's most remote and mountainous Northeast Kingdom communities. Belvidere might be able to use the help afforded schools on the list — and a lot of schools not on the list might, too — but none of them needs the shame or the improper statistical analysis that brought it.

Know of a situation in your state like this? Let us know. Help us track this issue nationally. ❖

THE RURAL SCHOOL AND COMMUNITY TRUST

Rural Policy Matters

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THE RURAL SCHOOL AND COMMUNITY TRUST

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November 2002

Tennessee Supreme Court Strikes Down Rural School Funding Plan

The Tennessee Supreme Court has concluded for the third time that the state's school funding system violates the state constitution. The central issue in this ruling (*Tennessee Small School Systems v. McWherter*) is that the Tennessee Teachers' Salary Equity Plan adopted by the state legislature in 1995, violates constitutional guarantees of equal protection by failing to provide all students with equally qualified teachers.

This case began in the late 1980s when a group of small and rural school systems sued the state arguing that students in their districts did not enjoy the opportunities afforded students in wealthier districts because the school financing system depends too much on local property taxes. The Supreme Court agreed with the school systems and said that any school aid formula must provide *sufficient* funds to schools to cover the actual costs of educational programs and services.

In response, the Tennessee legislature adopted the Basic Education Program (BEP) as the state's new education funding mechanism in 1995. The BEP is based on the cost of providing specific services and programs, taking into account 42 components of a basic education. The 42 cost components are reviewed annually by the legislature and include, among other things, the cost of vocational education, guidance counseling, textbooks, transportation, library services, special education, and capital expenditures for facilities. The components also included the costs of hiring secretaries, librarians, principals, custodians, psychologists, and superintendents.

But incredibly, the legislature did not include the cost of hiring teachers among the 42 components in the BEP. Instead, the legislature enacted a one-time salary equity plan that attempted to equalize teachers' salaries across the board by pegging salaries to the 1993 statewide average pay of $28,094.

In 1998, the small school plaintiffs went back to court charging that the BEP is unconstitutional because disparities in teacher salaries have grown and, unlike the 42 components in the BEP, teacher salaries are not annually reviewed and adjusted to assure equity. The Supreme Court agreed with the plaintiffs, saying that teacher salaries are "the most important component of any education plan and a major part of every education budget."

The state unsuccessfully argued that the current plan had, in fact, equalized teacher salaries. But according to the court, average salaries vary as much as $16,000 per year between some rural and some wealthier school districts. In the Supreme Court's view, "it takes little imagination to see how such disparities can lead to experienced and more educated teachers leaving the poorer school districts to teach in wealthier ones where they receive higher salaries."

But even as it was handing rural and small schools a major court victory in the case, the court backed off requiring total equalization of school spending for teacher salaries, saying that nothing "prevents a local school system from supplementing teachers' salaries from its own local non-BEP funds when such funds are in addition to its local BEP contribution. Some disparities in teachers' salaries from school district to school district will exist." How much continuing disparity the court will tolerate based on these supplements paid from local sources of wealth remains to be seen. But the court made it clear that a plan for paying teachers must come from the legislature, not the courts, because it "speaks for the people on matters of public policy such as this."

Lead attorney for the plaintiffs is Lewis Donelson, III, a senior partner in the Memphis firm of Baker, Donelson, Bearman and Caldwell. He is a member of the Rural Trust Board of Trustees.❖

Rural Perspective Featured at National School Funding Conference

For years, urban school issues have dominated most national discussions among school finance experts. That appears to be changing as school finance reform leaders increasingly recognize that in order to be successful, they must also take into account the needs of rural schools and students. Reflecting this sea change in advocacy efforts, participants at a recent two day conference in New York sponsored by the National School Funding Network heard about the "rural perspective" on school finance reform from speakers representing the Rural School and Community Trust and rural groups engaged in school finance reform in numerous states.

Some of the key points made by rural advocates at the conference included:

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Watch for the 2nd edition of our state-by-state report, *Why Rural Matters*, in early 2003

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Rural Perspective Featured

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- One in three students attend schools in rural areas and small towns nationwide.
- The poverty rate for rural children is actually higher than for urban children and poor rural schools frequently are as racially diverse as many urban schools.
- Many rural schools are small by necessity and community choice, but state policymakers increasingly are forcing them to close and consolidate. The result is often harmful, long bus rides that may hinder student achievement.
- Like many urban schools, rural schools frequently have poor facilities, lack qualified teachers, face inadequate technology and have limited resources to serve high numbers of at risk, special education and limited English proficient students.
- Rural schools receive almost $2,000 less per child annually than do schools in metropolitan areas.

The speakers went on to point out that while rural schools often have been at the forefront of successful school finance litigation, they have frequently seen their court victories evaporate as legislatures react by forcing rural schools to consolidate in the name of fiscal efficiency.

Speakers also indicated that the new No Child Left Behind Act could seriously jeopardize rural schools and students due to a lack of funding to implement the law. Furthermore, the unique challenges rural schools face in recruiting and retaining highly qualified teachers in remote rural areas exacerbates the situation.

The speakers offered five suggestions for fully engaging rural schools in organized efforts to improve funding for education:

- Support efforts to achieve "equity" as well as "adequacy" in school finance systems because adequacy alone will not address the needs of rural schools.
- Recognize and understand the unique characteristics and needs of rural schools and students.
- Ensure that proposed remedies provide rural schools with the resources they need to address their unique needs.
- Ensure that solutions to school finance problems don't lead to consolidation of schools, because both urban and rural students are entitled to good small schools.
- Ensure that rural schools are full partners in coalitions that may be formed to advocate for school finance reform. ❖

Leave the Money on the Table:
Vermont Better Off Going It Alone

Under the federal No Child Left Behind Act, schools must show adequate yearly progress toward academic proficiency for every child. If they fail, there are consequences such as forced school choice, obligations to provide private tutoring, and state takeover of a district. If a state fails to put such policies in place, it risks losing federal funding under Title I of the Elementary and Secondary Education Act. Funding under the act was increased so the states would have an incentive to meet its ambitious goals.

The ringer is that the states get to decide what is proficient. Some states with very high standards decided that what might have been proficient before the federal law was passed is more than proficient now, and have lowered their standards.

But what if a state decides that it wants rigorous standards and that the cost of meeting the unrealistic federal goal far exceeds the federal funding available? It could just leave the money on the table.

William J. Mathis, education finance professor at the University of Vermont and a Vermont school superintendent, analyzed that prospect for his state. Vermont students consistently score between 22 and 32 percentile points higher than the average on national tests, but because its own academic standards are so high, it rates about 46.5% of its own students as below standard on at least one of its own tests. Using conservative assumptions based on research literature, Mathis calculated that it would cost the state $158.2 million to provide the testing, remediation, and instructional and administrative services necessary to meet the federal goal, using the state's current rigorous standards. This represents an increase in spending of about 15.5%.

Total federal funding for K–12 education in Vermont will be $51.6 million this year, an increase of $4.3 million. Why accept the federal money when the cost of doing so exceeds the revenue provided by threefold, asks Mathis. You can find the Mathis study on our Web site at www.ruraledu.org. ❖

Michigan Looks at Declining Enrollment in Rural Schools

Michigan, with the sixth largest rural population in the U.S., has a substantial number of rural school districts with declining enrollment, especially in the economically distressed Upper Peninsula and the northern regions of the Lower Peninsula. A year ago, the legislature adopted a provision allowing schools with fewer than 1,500 students in grades K–12 to average student enrollment over the past three years for the purpose of calculating state aid, but Governor John Engler vetoed the appropriation needed to support this policy, preferring to study the problem. His study committee found that most schools with declining enrollment have cut budgets, eaten into their cash reserves, worked together and used distance learning to cut costs. The committee arrived at numerous recommendations, among them:

- A rural schools electronic network to gain access to instructional and professional development services.
- Changes in the funding formula providing more support for sparsely populated districts.
- More use of inter-district cooperation to cut administrative costs.
- Financial incentives to consolidate.
- More use of multi-age and multi-grade classrooms.
- Revising the state aid formula's method of counting students which "...gives an unfair advantage to large, growing school districts and fails to acknowledge the difficulties being experienced by the smaller, declining enrollment districts..."

The committee also suggested that the small districts establish their own means of being represented "more distinctively" before the legislature, saying the large district associations can't represent their interests. ❖

Arkansas Schools Needing Improvement Listed

The Arkansas Department of Education has listed 47 schools in 26 districts that it considers potential "School Improvement Schools" under the federal No Child Left Behind Act. The classification is based on the schools' students' performance on the Stanford Achievement Test in 1998–1999 and 1999–2000. They were listed if they receive federal Title I funds (based on poverty levels) and if 25% or fewer of their students scored "proficient" on the test. They also had to have failed to show "adequate yearly progress" on the test in both years. Students were tested in grades 5, 7, and 10.

The state had not intended to list any school until the end of this school year because it wanted to use results from its own Arkansas Benchmark Exam, which it has only started using recently. But no, said the federal government—if you want federal money, you have to list schools now. So the state used the older SAT test scores.

Students in a "listed school" can transfer to another school in the district, or get tutoring from an approved tutor, both at the district's expense.

Data from the Department of Education's Web site is available for 45 of the 47 schools. It indicates that:

- Those 45 had a total enrollment of 15,284, or about 3.5% of the state's total enrollment. They represent just fewer than 4% of the state's schools.
- On average, two thirds of the students in these schools are African American and 75% are poor, compared to 25% and 50.5% statewide.
- Fifteen of the 45 schools are located in Pulaski County, with Little Rock at its core. But the Delta region, which is largely rural, poor, and African American, also has 16 schools on the list, including five in Phillips County alone, among them the Lake View Elementary School in the district that filed Arkansas' school funding lawsuit.
- Only four of the schools had a poverty rate less than the state average. Twenty-seven have poverty rates exceeding 75%.
- Only seven of the 45 schools have African American enrollment below the state average of 23%; 35 of the 45 have African American enrollment at least double the state average.
- Only eight of the 45 have more than 100 children per grade, the minimum number that testing research suggests are needed to make judgments about school performance. Twenty-six had half that number, and six had fewer than 20 students per grade.
- Only 10 of the 45 are high schools, and only two of them are in the same county (Chicot).

Two comments: First, using student test scores to rate school performance based on a small number of students taking a test at a given grade level, especially measuring "progress" from year to year, is not a responsible use of test data. The pool of students taking the test can influence variation from year to year too heavily.

Second, while these schools may need improvement (a lot of others do, too), the remedy provided hardly seems likely to achieve results. For rural schools in particular, sending kids to another school is probably not practical. And using the school's limited resources to pay tutors seems likely to deprive it of the support needed to serve the remaining students. While schools, particularly rural schools, are scrambling to meet the demand for "highly qualified" teachers and paraprofessionals to teach Title I eligible students, no one is certain of the criteria for selecting tutors for the most needy children.

In this case, public policy needs improvement as much as the schools. ❖

Public likes Small Schools, Fair Funding, More Money for Low Performing Schools

Among the recent findings of the 34th annual Phi Delta Kappan/Gallup Poll of public attitudes toward public schools:

- Seventy-seven say school size affects student achievement, with more than half saying elementary schools should be under 500 students, 73% saying middle schools should be under 1,000, and 50% saying high schools should be under 1,000.
- Eighty-eight think funding should be the same for all public school students in their state, and 58% say they'd rather increase state taxes than cut spending in hard fiscal times.
- Seventy-seven oppose closing a school that fails to meet state performance standards, and 77% think such schools should get more funding. ❖

If You Resist, They Will Audit

The Fayette County School District in West Virginia will be audited by the State Department of Education for the second time in four years, the only district in the state to be audited twice since a new auditing system was installed in 1998. Twelve of the state's 55 districts have not been audited at all under the new system.

It's been a busy year in Fayette. A year ago, the former superintendent tried to close eight schools, holding hearings for public input on all eight in one day. Parents sued, and the court stopped the closures, calling the hearing tactic "an egregious affront to the principles of democracy." Other community groups filed similar suits in other counties, and Fayette voters replaced pro-consolidation school board members with anti-consolidation candidates. That's why we refer to the superintendent as "former."

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Declining Enrollment: Widespread, But Especially in the West

At least 18% of the rural schools in every state suffered from declining enrollment of 10% or more between the 1996-97 and 2000-01 school year, according to the latest data from the National Educational Statistics Center.

More than half the rural schools lost 10% of enrollment over that period in five states – Hawaii, Nevada, North Dakota, Montana, and Alaska.

The hardest hit region was the Northern Plains, where all five states (Montana, Nebraska, North Dakota, South Dakota, and Wyoming) placed among the top 11 states in percent of rural schools with declining enrollment.

Many other western states were also near the top in percent of rural schools losing enrollment at that rate, including California (48%), Idaho (47%), Arizona (47%) Utah (46%), New Mexico (45%), Oregon (45%).

There were only five non-western states where at least 40% of rural schools lost that much enrollment – North Carolina (43%), Vermont (43%), Maine (42%), West Virginia (40%), and Louisiana (40%).

Declining enrollment is one of 11 indicators we use to rank the urgency of addressing the policy needs of rural education in each state. We also use seven statistical indicators to rank the importance of rural education in each state. Watch for the second edition of our state-by-state report, *Why Rural Matters*, to be released in early 2003. ❖

If You Resist, They Will Audit

from page 3

The state says none of that has anything to do with why Fayette is being audited again: too many schools with low test scores—that's the reason. Local school board members think otherwise. Why not give the new board and the new superintendent a chance to show results?

Linda Martin, executive director of Challenge West Virginia, a non-profit organization that works to keep and improve rural community schools, and a member of the Rural Trust board of directors, was more direct. "This is another example of the state running roughshod over people," she said. She called the efforts of community people to keep and improve schools in Fayette "democracy at its best." Martin concluded, "Yet, the state board, elected by no one, is trying to find a way to take over the school system to force its will on the people of Fayette County. It is a disgrace." ❖

THE RURAL SCHOOL AND COMMUNITY TRUST

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Rural Students and Schools Score Major Victory in Arkansas Supreme Court

In a decision that will no doubt impact school finance lawsuits pending in other states, the Arkansas Supreme Court issued a decision on November 21, 2002 in *Lake View School District v. Huckabee*, concluding that the state's system for funding education is both inequitable and inadequate and violates the state constitution. In striking down the finance system, the court addressed the following key issues.

- The responsibility for educating Arkansas students rests clearly on the shoulders of the state, not local communities.
- The court has the ultimate power and the duty to review the system used by the state to fund education in order to ensure that the system complies with the constitution.
- Contrary to the contention of the state, it is possible to define the educational skills and capacities that every child should master in order to receive an "adequate" education. Because the legislature had refused to define those skills and capacities, the court listed seven capacities that it deemed to be essential under the state constitution.
- In determining whether the education funding system was equitable, the court opted to look at "educational expenditures" instead of "educational revenues" as suggested by the state. In concluding that the finance system was inequitable, the court pointed to a sharp "educational expenditure gap" between rich and poor school districts that the courts said had "fostered a system of discrimination based on wealth."
- Underpaid teachers, unsafe facilities, a lack of basic equipment and labs, and limited Advanced Placement (AP) course offerings graphically reflect educational deficiencies caused by the inadequate and inequitable finance system. These deficiencies have resulted in low student achievement, high college remediation rates and poor educational outcomes for thousands of Arkansas students.
- Money and educational expenditures matter. "There is a direct correlation between dollars expended and the quality of education a student receives," according to the court.

The only area in which the court sided with the state was on the question of whether the constitution required the provision of pre-school education for low-income students. The court said that although early childhood education programs could well provide educational benefits for children, the courts could not require the legislature to provide and fund such programs.

The court did not immediately order the legislature to take action to correct the system, opting instead to give lawmakers one more year to "chart a new course for public education" in Arkansas.

The Arkansas Public Policy Panel and the Rural School and Community Trust filed a friend of the court brief in the case on behalf of rural schools and students. According to Bill Kopsky, director of the Arkansas Public Policy Panel, "This decision squarely upholds the findings that our state's education system is failing to provide a quality education and fair opportunities for our state's children. This decision puts the burden on the Arkansas Legislature and the Governor to fix our educational crisis. The legal questions have been answered—we now have giant political questions about how we're going fix our kid's education." ❖

Adequate Yearly Progress

Federal legislation (No Child Left Behind) requires schools to make "adequate yearly progress" (AYP) toward a goal some consider unrealistic—100 percent of students performing proficiently within 12 years as measured by reading and mathematics tests in each grade 3–8 and once more during grades 10–12. As long as the definition of "proficient" remains malleable—the states can choose their own definition—the goal might be attainable.

But the annual rate of improvement in test scores is not the same for all schools. Schools that are performing at lower levels to begin with have to gain ground much faster than others if every school is to make 100 percent proficiency in the same number of years. So low performing schools not only start behind, but have to run faster if they are to avoid being classified as "in need of improvement," thus triggering various sanctions.

The problem is likely to be most severe for schools with large numbers of poor children, such as those participating in Title I programs. But, this might be less of a problem for such schools in rural areas.

Researcher Jaekyung Lee analyzed eighth grade mathematics scores from the National Assessment of Educational Progress. He found that students who par-

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Rural teachers reimbursed for professional development costs— VT - 81% (highest); AL - 39% (lowest).

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Arkansas Rural Education Profile

-Rural population: 1,269,221
-Percent of total population: 47.5
-Percent public schools in rural communities: 44.4
-Percent of students in rural schools: 30.5
-Percent rural children in poverty: 18.4
-Rural per capita income: 16,117 (6th lowest)
-Percent of rural school expenditures for Instruction and pupil support: 63.1 (6th highest)
-Average number of students per grade in rural schools: 46 (17th lowest)

Adequate Yearly Progress

from page 1

ticipated in Title I programs scored lower than others, in both urban and rural schools, but that the gap was much smaller in the rural schools. The gap was narrower among rural students despite the fact that the non-Title I rural students scored higher than the non-Title I urban students. The Title I rural students far outperformed the Title I urban students.

	Rural Students	Non-Rural Students	Rural Advantage
Title I Students	263	238	25
Non-Title I Students	278	273	5
Gap	15	35	

Lee also analyzed results for eighth grade math scores on Maine's Educational Assessment test for the years 1990–98 to determine how many would have failed to make adequate yearly progress. He identified rural and non-rural schools that were "low performing" and "high performing" in 1990, defined as those whose average eighth grade math score was lower than 80 percent of the schools in the state and those whose scores were higher than 80 percent. He set a hypothetical target for average test scores in the year 2002—12 years after the starting point, as called for in NCLB. That target was based on an assumed average annual gain actually made by the state's schools during 1990–98.

For both rural and non-rural schools, the high performing schools who had to make smaller annual gains to reach the hypothetical targets would have met their AYP goal about two-thirds of the time during the 12 year period. Both groups of low performing schools, saddled with the more demanding AYP, would have met the AYP goal only one-third of the time, on average. That would not have been good enough to avoid being listed as "in need of improvement."

Lee presented his research at a November symposium sponsored by ACCLAIM, (the Appalachian Collaborative Center for Learning, Assessment, and Instruction of Mathematics) a multi-university initiative supported by the National Science Foundation and based at Ohio University. See the Web site at: http://kant.citl.ohiou.edu/ACCLAIM/index.htm#❖

E-Rate Champion Appointed

Dr. Brian Talbott has been reappointed by the Federal Communications Commission to the Universal Services Administration Company (USAC) Board of Directors, the entity that implements the federal E-Rate program that helps fund telecommunications services for schools and libraries. Appointed as a representative for schools, Talbott heads a USAC committee responsible for decisions regarding most aspects of the E-Rate. His appointment was broadly supported by education advocates, and is a welcome development for rural schools and communities. His commitment to the E-Rate program and his background and breadth of experience with respect to the educational use of telecommunications is superb. He is the National Executive Director of the American Association of Educational Service Agencies (AAESA).❖

Getting It Done in Rural Tennessee

The Campbell/Anderson Chapter of Save Our Cumberland Mountains (SOCM) has been working to improve their schools in a very rural area of Tennessee for the past year. Members have focused on the resources offered to students at the high school in Jellico, which serves about 500 students in grades 9–12. Jellico is isolated from the rest of Campbell County by Jellico Mountain.

This fall, the Campbell/Anderson Chapter took a step forward in ensuring that all Campbell County students receive a fair education by convincing the Campbell County School Board to pass a budget that includes an extra teacher position at Jellico High School. The Chapter has been working since February to guarantee that the school board places a teacher in the PLATO Lab at the School.

The PLATO Lab is a computer-based educational tool that allows for individualization of a student's curriculum based on the individual's needs. It is also used to help prepare students for the statewide Gateway tests and the ACT exam. Both Jellico High School and Campbell County Comprehensive High School (which houses about 2,000 students) have PLATO Labs. The difference is that this past school year Jellico High School's PLATO Lab remained unused for its intended purpose, since the school simply didn't have enough teachers to assign one to the lab. This fall, the Campbell/Anderson Chapter has made sure that Jellico High School's PLATO Lab has a teacher.

Save Our Cumberland Mountains (SOCM) is a 30-year-old grassroots organization that works for social, environmental and economic justice in rural Tennessee. For more information, contact Tiffany Hartung at (865) 426-9455 or tiffany@socm.org.❖

First National Conference for Rural School Finance Held in Nebraska City

The Rural School and Community Trust (Rural Trust) and the University of Nebraska College of Law convened a national gathering of school finance experts, leading lawyers, rural advocates, and educators in Nebraska City, Nebraska, on November 13–15, 2002, to discuss ways to improve funding and educational opportunities for students attending the nation's rural schools. The conference, "Mobilizing Resources for Rural Students," was the first national gathering ever to address the broad array of issues in this complex and rapidly evolving legal and policy arena.

The group focused on why rural schools and students matter, the unique needs of rural poor and minority students, the experiences and perspectives of activists and leaders in school finance reform, and the specific impacts of the No Child Left Behind Act (NCLB).

Speakers included lawyers who have won court victories in a number of state school finance cases, leading legal scholars and finance experts on school finance issues, and citizen activists who have successfully organized school finance reform efforts and media campaigns.

The meeting's keynote speaker was Judith Winston, former Undersecretary of the Department of Education during the Clinton administration. During her talk, Dr. Winston questioned whether the school reform movement is congruent with the lives of rural school children. "Title I has evolved into whole school reform, and high accountability, as opposed to targeting disadvantaged school children," she said. However, she also noted that annual disaggregated report card data has "the potential to provide parents and communities with knowledge and power."

Local activists and school reformers reported that one consequence of NCLB is that high quality teaching strategies are being put aside, as teachers tend to "teach the tests" so that their school won't be punished for failing. Others noted that rather than more high stakes testing, a better strategy would be to target funding towards existing resources and effective programs, such as high quality pre-school.

Debbie Phillips from Ohio Rural Action cited another negative development for rural schools: increased school consolidation. States are pushing "massive consolidation with tempting school construction dollars, and communities are losing their schools. They're 'improving' the schools out of existence."

West Virginia was one of the first states to bring a school financing lawsuit, and according to Linda Martin of Challenge West Virginia, the result has been massive school consolidation with about 80 percent of those closed being elementary schools. A result of the consolidation has been two-hour (one-way) bus rides for children, including elementary school children, tremendous school dropout, and loss of extracurricular school activities. "Consolidation becomes inequity," she concluded.

Native American activists cited the unique challenges of advocating for school reform in Native American communities. Elaine Salinas of the Rural School and Community Trust said that in addition to widespread poverty, there is a lack of understanding of the political realities of being Native American. Reservation schools don't have property tax bases. How do you increase school

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Tennessee's Lottery for Education Plan

On election day last month, Tennessee became the 38th state to change its constitution to allow a state-run lottery. The lottery will likely be modeled after Georgia's much-touted lottery that funds the state's Hope Scholarships.

Proponents of a Tennessee lottery argue that though lotteries are not a "cure all" for education woes, they provide at least some much-needed cash to improve public schools. However, it is almost certain that funds from the proposed lottery will be earmarked for college scholarships for Tennessee students, similar to the Georgia scholarship program. Funds will almost certainly not be used to increase teacher pay, improve school facilities, or pay for books and supplies at the K–12 level.

Critics of Georgia's Hope Scholarship have argued that the entire lottery system robs the poor and gives to the rich. They point to recent research showing most of the money used to purchase lottery tickets comes from the poorest citizens, while the majority of Hope Scholarships goes to middle and upper class students. Students attending the state university system increasingly come from families with more than $200,000 in annual income. A recent *New York Times* article (10/31/2002) describes how one student made use of her Hope Scholarship: a car, trips to Italy, Switzerland and Argentina, some stock investments, and possibly some future real estate. Some university professors quipped that the $1.7 billion dollar scholarship program has had the biggest effect on Georgia's automobile retailers. Researchers at the University of Georgia have found that so far only five percent of the money has gone to students who would not have otherwise gone to college.

Merit awards such as Georgia's Hope Scholarships, have also created some legal controversy. Harvard's Civil Rights Project reported that students from the wealthiest high schools were more than twice as likely to receive scholarships than those from a state's poorest schools. Yet relatively little lottery money is going to school improvement. ❖

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Rural State Finder

Want a quick list of the most rural states? How about states with only one telephone area code? Alaska, Delaware, Hawaii, Idaho, Maine, Montana, North Dakota, New Hampshire, South Dakota, Vermont, West Virginia, and Wyoming. Or states with one member of the U.S. House of Representatives? Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont, and Wyoming. Delaware is the only suspect on that list.

We take a more sophisticated approach in our update of *Why Rural Matters*, our landmark analysis of the relative importance of rural education in each state, and of the urgency with which policy makers in each state should give it their attention. We use 19 statistical indicators in this update, due out in February 2003.❖

School Finance Conference

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funding? Many Indian children have dual citizenship, and school systems don't understand the need for Indian nations' sovereignty. In addition, there is the unique historical experience of the Bureau of Indian Affairs boarding school system that has resulted in a strong distrust of public school systems. Salinas cited the need to train teachers with understanding of cultural context, and a new paradigm in general for Native education.

Legal experts presented panels on the nuts and bolts of school finance litigation, and agreed that school finance lawsuits don't provide a panacea, primarily because courts don't usually provide the remedies. It is absolutely critical, they agreed, that advocates for school finance reform must have a winning political strategy to accompany the legal strategy. According to Marty Strange, policy director for the Rural School and Community Trust, "winning in court is not enough. You must have a political strategy to go with it or legislatures will bury you."

Paul Cillo, a former Vermont legislator who helped spearhead Act 60, Vermont's school finance r n measure, described in detail the political strategy that went along with state Supreme Court rulings on inequity. With a combination of luck and political tenacity, a remedy was in the pipeline when the court decisions came down. Vermont's Act 60 repealed local school taxes and, instead, initiated variable rate statewide property taxes in proportion to local per pupil spending.

Some of the papers presented at the conference will be published in a special edition of the *Nebraska Law Review* dedicated to the legal issues affecting the funding of rural schools.❖

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The Rural Trust Policy Program seeks to understand complex issues affecting rural schools and communities; to inform the public debate over rural education policy; and to help rural communities act on education policy issues affecting them.

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